

**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 BARNARD in WINDSOR 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
Class 2	15.640				0.000
Class 3	42.59				0.000
State Highway	9.615				0.000
<b>Total</b>	<b>67.845</b>				<b>0.000</b>
* Class 1 Lane	0.000				
* Class 4	44.28		1.40	42.88	0.000
* Legal Trail	2.45				
* Unidentified Corridor	0.00				

\* 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).  
-1.40 mi CL4 removed -- legal establishment of highways not documented  
(-0.73 mi CL4 portion of TH-90, -0.67 mi CL4 TH-91)
- 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: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

T/C/V Clerk Signature: \_\_\_\_\_ Date Filed: \_\_\_\_\_

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



State of Vermont  
Policy, Planning & Intermodal Development Division  
Mapping Section  
One National Life Drive  
Montpelier, VT 05633-5001  
<http://www.aot.state.vt.us>

Agency of Transportation

Telephone: 802-828-2600  
Fax: 802-828-2334  
Email: [johnathan.croft@state.vt.us](mailto:johnathan.croft@state.vt.us)

March 6, 2015

Rock Webster, Selectboard Chair  
Barnard, c/o Town Clerk  
PO Box 274  
Barnard, VT 05031-0274

Dear Mr. Webster,

The VTrans Mapping Section requested additional documentation regarding the legal establishment of TH-90 (Charles French Road, BRC-119) and TH-91 (Old Hathorn Road, BRC-120) in a letter to the Town of Barnard Selectboard dated January 22, 2014. (A copy of this letter is enclosed.) To date, no additional documentation has been received by the VTrans Mapping Section and it is necessary to drop these roads from the Mileage Certificate and Town Highway Map of Barnard, until a subsequent time that documentation is provided as evidence of legal establishment, either through the statutory laying out process or through "dedication and acceptance."

The VTrans Mapping Section is acting under the authority provided in the following statutory provisions:

*19 V.S.A. § 305(a) & (e). 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.*

*(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.*

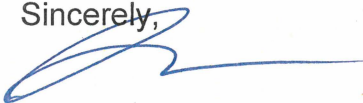
<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=19&Chapter=003&Section=00305>

The Agency of Transportation has been unable to verify the existence of the southern section of TH-90 (Charles French Road, BRC-119) being 0.73 miles from the intersection with TH-91 (Old Hathorn Road, BRC-120) south to the intersection of TH-48 (Hayes Brook Road) and TH-91 (Old Hathorn Road, BRC-120) being 0.67 miles in length from the records provided by the Town. Accordingly, there is insufficient information available to determine that these roads are town highways under Vermont law and the VTrans Mapping Section is dropping the roads from the Mileage Certificate and Town Highway Map.

A revised Certificate of Highway Mileage has been attached noting the reduction in Class 4 Town Highway Mileage due to the removal of the 0.73 mile section of TH-90 and 0.67 miles of TH-91. The total reduction in Class 4 mileage is 1.40 miles.

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

Sincerely,



Johnathan Croft  
AOT GIS Database Administrator  
VTrans Mapping Section

JFC/jfc

Enclosure

cc: Preston Bristow, Barnard Zoning Administrator  
John Dunleavy, Assistant Attorney General  
William Rice, VTrans Staff Attorney  
Tammy Ellis, District Transportation Administrator  
Jackie Cassino, VTrans Transportation Planning Coordinator  
Kim Royar, ANR - Fish & Wildlife Department



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

*Agency of Transportation*

Telephone: 802-828-2600  
Fax: 802-828-2334  
Email: [johnathan.croft@state.vt.us](mailto:johnathan.croft@state.vt.us)

July 1, 2015

Rock Webster, Selectboard Chair  
Barnard, c/o Town Clerk  
PO Box 274  
Barnard, VT 05031-0274

Dear Mr. Webster,

The VTrans Mapping Section has dropped the southern section of TH-90 (Charles French Road, BRC-119) being 0.73 miles from the intersection with TH-91 (Old Hathorn Road, BRC-120) south to the intersection of TH-48 (Hayes Brook Road) and TH-91 (Old Hathorn Road, BRC-120) being 0.67 miles in length from Mileage Certificate and Town Highway Map, due to insufficient information available to determine that these roads are town highways under Vermont law.

A request for additional documentation as evidence of legal establishment was made in a letter dated January 22, 2014, with a follow-up letter on March 6, 2015 (attached) regarding these sections of road. Information was not forthcoming and the sections of highway were dropped from the map.

The Town of Barnard may resubmit these sections of road with the proper documentation showing legal establishment through the statutory process or via "dedication and acceptance" with the 2016 Mileage Certificate.

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

Sincerely,



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  
William Rice, Assistant Attorney General  
Tammy Ellis, District Transportation Administrator  
Jackie Cassino, VTrans Transportation Planning Coordinator



CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2015

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We, the members of the legislative body of BARNARD in WINDSOR 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.

Table with 6 columns: Town Highways, Previous Mileage, Added Mileage, Subtracted Mileage, Total, Scenic Highways. Rows include Class 1, Class 2, Class 3, State Highway, Total, Class 1 Lane, Class 4, Legal Trail, and Unidentified Corridor.

\* 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.

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
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. [X]

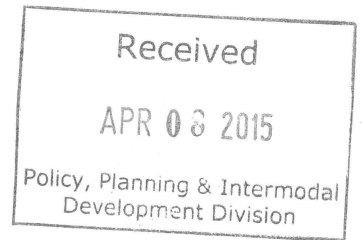
PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures: [Handwritten signatures]
T/C/V Clerk Signature: [Handwritten signature] Date Filed: 4.1.15

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED: [Line] DATE: [Line]
Representative, Agency of Transportation



## Vermont Statutes Annotated

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

#### § 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.

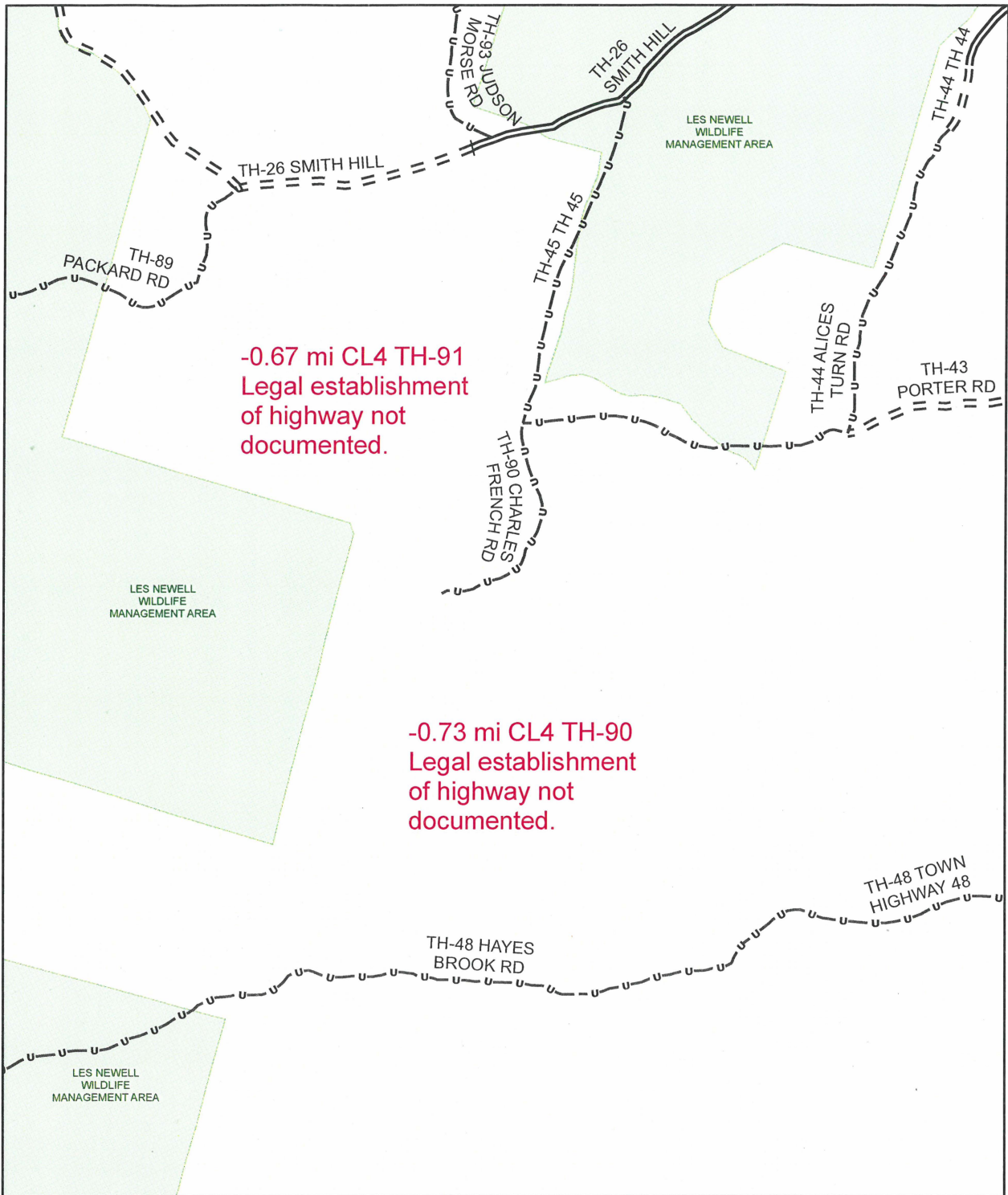
(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of 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

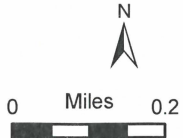


-0.67 mi CL4 TH-91  
 Legal establishment  
 of highway not  
 documented.

-0.73 mi CL4 TH-90  
 Legal establishment  
 of highway not  
 documented.

**Mileage Certificate Change 2015  
 BARNARD**

Mapping Section  
 Division of Policy, Planning and Intermodal Development  
 Vermont Agency of Transportation - April 2015





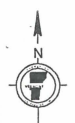
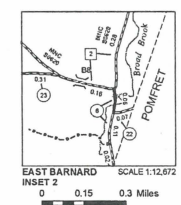
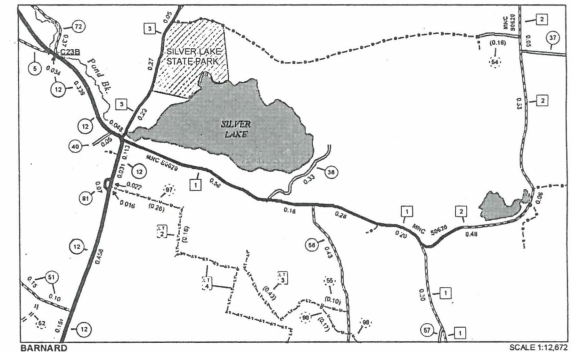
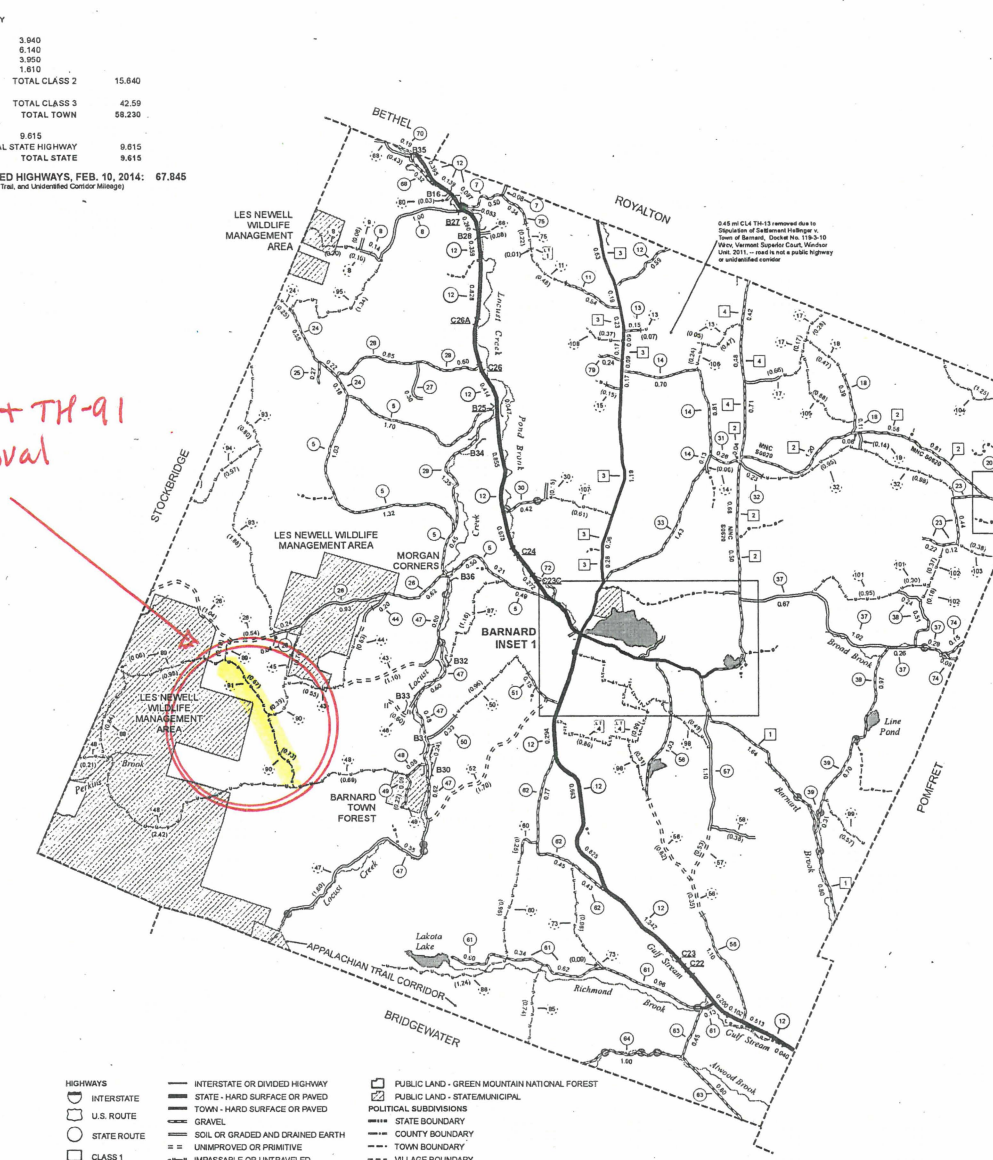
TOWN	LENGTH IN MILES	
Hwy. No.	CLASS 3	CLASS 4
5	5.70	
6	0.19	
7	0.58	
8	1.14	(0.70)
11	0.54	(0.48)
12	0.59	
13	0.15	(0.59)
14	1.84	
15		(0.15)
17		(1.11)
18	0.50	(0.47)
19		(0.14)
20	0.30	
21	0.10	
22	0.07	
23	1.09	
24	0.95	(0.25)
25	0.27	
26	1.83	(1.58)
27	0.30	
28	1.45	
29	1.35	
30	0.42	
31	0.26	
32	0.23	(1.93)
33	1.43	
36	0.33	
37	2.23	
38	0.75	
39	1.88	
40	0.05	
43		(1.65)
44	0.20	(0.83)
45		(0.70)
46		(0.60)
47	3.08	(1.60)
48	0.08	(1.32)
49	0.09	
50	0.33	(0.86)
51	0.40	
52		(1.70)
54		(0.16)
55		(0.10)
56	2.58	(1.17)
57	1.10	(0.53)
58		(0.38)
60		(1.21)
61	2.65	
62	1.85	
63	1.25	
64	1.00	
66		(0.03)
68	0.32	(0.43)
70	0.19	
72	0.37	
73		(1.05)
74	0.24	
75	0.34	(0.22)
79	0.24	
80	0.07	
81		(0.74)
85		(1.24)
86		(1.16)
88		(0.84)
89		(1.22)
90		(1.12)
92		(0.97)
93		(2.08)
94		(0.97)
95		(1.34)
96		(0.51)
97		(0.20)
98		(0.84)
99		(0.57)
101		(1.25)
102		(0.55)
103		(0.38)
104		(1.25)
105		(0.88)
106		(0.24)
107		(0.61)
108		(0.37)
TOTAL	42.59	43.69

**MILEAGE SUMMARY**

CLASS 2	3.840
TH-1	3.840
TH-2	3.950
TH-3	1.610
TH-4	
TOTAL CLASS 2	15.840
TOTAL CLASS 3	42.59
TOTAL TOWN	58.230
STATE HIGHWAY	
VT-12	9.615
TOTAL STATE HIGHWAY	9.615
TOTAL STATE	9.615

**TOTAL TRAVELED HIGHWAYS, FEB. 10, 2014:** 67.845  
(Excludes Class 4, Legal Trail, and Unimproved Collector Highway)

TH-90 + TH-91  
Removal



**VERMONT**  
GENERAL HIGHWAY MAP  
**Town of Barnard**  
WINDSOR COUNTY  
Transportation District #4  
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  
Map as of February 10, 2014  
Map prepared October 07, 2014  
SCALE 1:31,680

TOWN	LENGTH IN MILES
Hwy. No.	"NOT UP TO STANDARD"
8	(0.16)
9	(0.05)
30	(0.15)
49	(0.22)
TOTAL	0.58

\*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

LEGAL TRAIL	LENGTH IN MILES
No.	LEGAL TRAIL
1	(0.01)
2	(0.16)
3	(0.43)
4	(1.85)
TOTAL	2.45

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

Highway and bridge data by the Agency of Transportation. Town short structures are drawn from the Vermont Online Bridge & Culvert Inventory Tool (VOBCIT) database. All other data from the Vermont Center for Geographic Information. Only named streams are shown.

- HIGHWAYS**
- INTERSTATE OR DIVIDED HIGHWAY
  - STATE - HARD SURFACE OR PAVED
  - U.S. ROUTE
  - STATE ROUTE
  - CLASS 1
  - CLASS 2
  - CLASS 3
  - CLASS 4
  - LEGAL TRAIL
- 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 > 20'
  - BRIDGE OR CULVERT 6' - 20'
  - VOBCIT BRIDGE
  - VOBCIT CULVERT 6'
  - STATE BRIDGE OR CULVERT IDENTIFIER
  - TOWN BRIDGE OR CULVERT IDENTIFIER

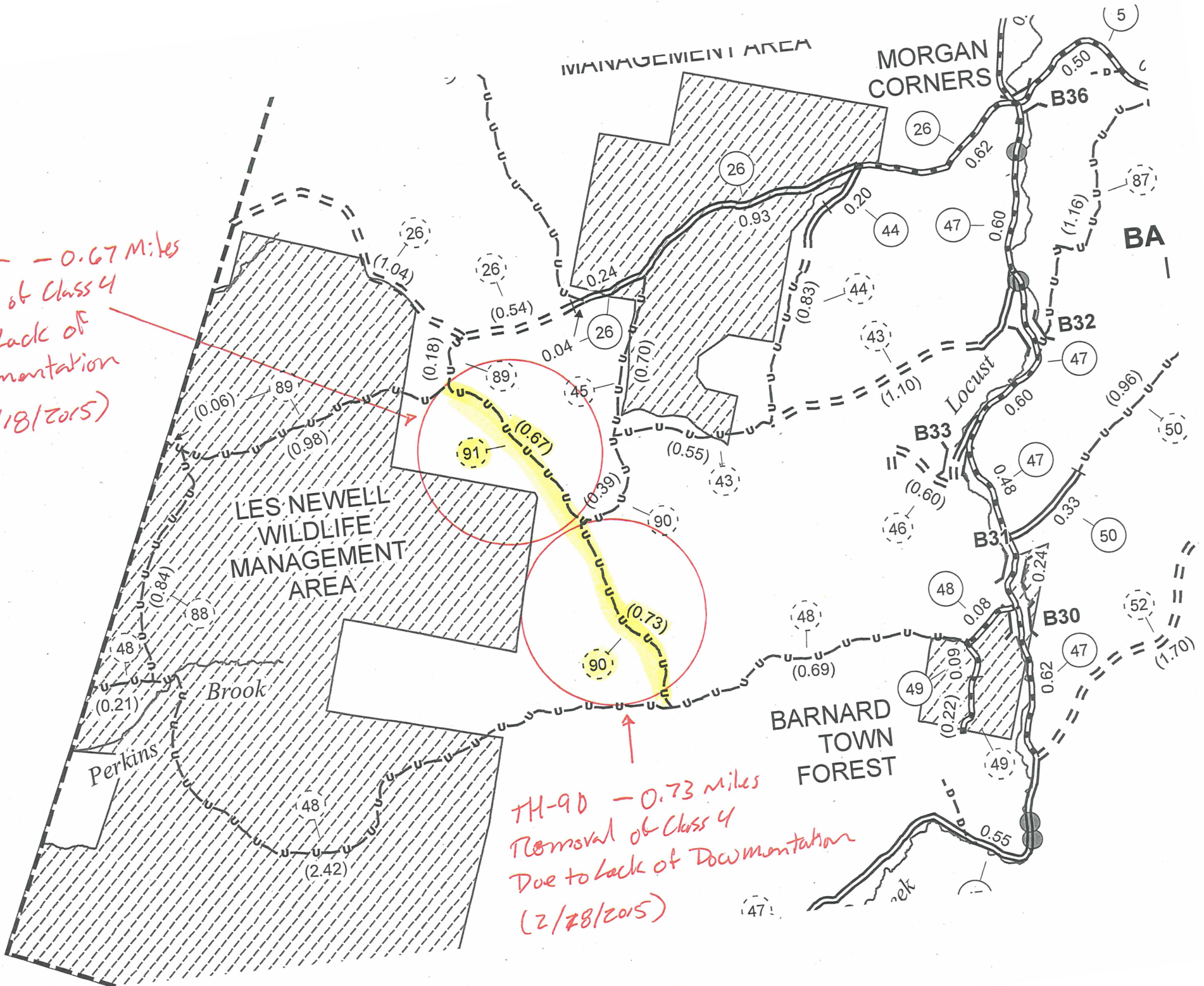
**FEDERAL CLASSIFICATION IDENTIFIER**

  - FAJ URBAN/ARTERIAL OR COLLECTOR
  - MA MAJOR ARTERIAL
  - M/C MAJOR COLLECTOR
  - MNC MINOR COLLECTOR
  - PA PRINCIPAL ARTERIAL

Vermont State Plane Coordinate System  
North American Datum of 1983  
SPCS\_Zone\_Identifier: 4400  
Geodetic Reference System: 80  
4,000-meter grid, Easting - Northing



TH-91 - - 0.67 Miles  
Removal of Class 4  
Due to Lack of  
Documentation  
(2/18/2015)



TH-90 - 0.73 Miles  
Removal of Class 4  
Due to Lack of Documentation  
(2/28/2015)



State of Vermont  
Policy, Planning & Intermodal Development Division  
Mapping Unit  
One National Life Drive  
Montpelier, VT 05633-5001  
<http://www.aot.state.vt.us>

Agency of Transportation

Telephone: 802-828-2600  
Fax: 802-828-2334  
Email: [johnathan.croft@state.vt.us](mailto:johnathan.croft@state.vt.us)

January 22, 2014

Tom Morse, Selectboard Chair  
Barnard, c/o Town Clerk  
PO Box 274  
Barnard, VT 05031-0274

Dear Mr. Morse,

The VTrans Mapping Unit would like to follow-up with the Town of Barnard regarding several roads that were provided with the 2010 Certificate of Highway Mileage, in which VTrans has received questions from Patrick Berry, Commissioner of Fish & Wildlife at the Agency of Natural Resources in a letter dated February 24, 2012. Following the receipt and review of the letter from Commissioner Berry and review of the documentation provided in the original submittal of the 2010 Certificate of Highway Mileage from the Town of Barnard, we came to the conclusion that 3 of the highways needed clarification and the highway establishment was in question.

The VTrans Mapping Unit requested on May 5, 2012 additional documentation regarding the legal establishment of TH-88 (Gardner Road, BRC-115), TH-90 (Charles French Road, BRC-119) and TH-91 (Old Hathorn Road, BRC-120) that were added to the Mileage Certificate and Town Highway Map in 2010. No additional documentation or clarification regarding these roads was provided by the Town, with the exception of a letter from the Town Attorney stating "the town still believes that these roads are properly identified." There remain significant questions and concerns regarding the legal establishment of these roads as town highways, and I seek clarification and additional documentation supporting their creation. A listing of each road and issues related to the initial documentation provided and questions raised during review of these documents are articulated below.

VTrans Mapping is acting under the authority provided in the following statutory provisions:

*19 V.S.A. § 305(a) & (e). 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.*

*(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.*

<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=19&Chapter=003&Section=00305>

The roads that VTrans sought additional information for included TH-88 (Gardner Road, BRC-115), TH-90 (Charles French Road, BRC-119) and TH-91 (Old Hathorn Road, BRC-120). I have reviewed the surveys and documentation provided by the Town again for these 3 roads. From the documentation that was provided by Barnard with the 2010 Mileage Certificate, there seems to be different alignments between the highlighted sections on the "Town of Barnard" map from April 1, 2005 and the individual surveys provided for each highway.

Here are the outstanding issues that cannot be verified through the use of the information thus far provided by the Town of Barnard:

- TH-88 (Gardner Road, BRC-115)

There are 2 surveys that were submitted as evidence of the laying out of Gardner Road, BRC-115, being Page 49, Entry A and Page 71, Entry A. Both of the surveys were plotted and there is a question to the origin of each of the survey traverses. In the initial review by VTrans in 2010, it was assumed that both surveys originate near the same point, being near the house of Alanson Packard, also referred to in the ANR documentation as Alonzo Packard. This point is assumed to be the site of the house noted as A. Packard in the southwest corner of District No. 9 on the 1869 FW Beers Atlas of Windsor County.

The transcription in the 2010 Barnard Mileage Certificate submittal for Page 71, Entry A notes an Alanson Parkhurst, but I believe there is an error in transcription and this should be Alanson Packard, as it seems to be written in the photocopy of the original document.

When plotted with both alignments meeting at the A. Packard house, there

matches the alignment of TH-44 or TH-45.

I request documentation that provides evidence of the legal establishment of this road as a highway.

The Agency of Transportation has been unable to verify the existence of the southern section of TH-90 (Charles French Road, BRC-119) being 0.73 miles from the intersection with TH-91 (Old Hathorn Road, BRC-120) south to the intersection of TH-48 (Hayes Brook Road) and TH-91 (Old Hathorn Road, BRC-120) being 0.67 miles in length from the records provided by the Town. Accordingly, there is insufficient information available to determine that these roads are town highways under Vermont law and the VTrans Mapping intends to drop these roads from the Town Highway Map and Mileage Certificate unless the Town of Barnard provides additional documentation that demonstrates the legal establishment of these roads as highways. In accordance with 19 V.S.A. § 305(a) the Town will have one year from the date of this letter to provide that information. VTrans Mapping also requests additional clarification and documentation regarding TH-88 (Gardner Road, BRC-115), due to questions on the origin of the surveys that were provided.

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

Sincerely,



Johnathan Croft  
AOT GIS Database Administrator  
VTrans Mapping Unit

JFC/jfc

Enclosure

cc: Preston Bristow, Barnard Zoning Administrator  
John Dunleavy, Assistant Attorney General  
William Rice, VTrans Staff Attorney  
Tammy Ellis, District Transportation Administrator  
Jackie Cassino, VTrans Transportation Planning Coordinator  
Kim Royar, ANR - Fish & Wildlife Department



seems to have some semblance of the road as it relates to the full town map with highlighted sections, but there is some question by ANR to the origin of the survey in Page 49, Entry A. Following the additional review by VTrans, there is a concern that the assumed origin may not be accurate for the 1827 survey (Page 49, Entry A). I am unable to ascertain where the origin of this survey is and don't have any primary documentation to the location of Thomas Winslow's house in Stockbridge, as described in the Page 49, Entry A survey. It could be assumed that the road referred to as the road surveyed from Gaius Perkins in Barnard to the Stockbridge line is TH-48 (Hayes Brook Road).

In a letter from ANR, there is notation regarding BRC-115 which references an additional survey 6d (Page 6, Entry d), that was not part of the original submittal from Barnard with the 2010 Mileage Certificate. I would like to request a copy of this survey, as it may provide additional information regarding the laying out of this highway.

I would like to receive additional documentation regarding the legal establishment of this road as a highway, including clarification of the origins of the surveys, which can be in the form of a sketch map, orthophotos, or other map showing the location of the survey origins, and also a copy of the survey noted on Page 6, Entry d.

- TH-90 (Charles French Road, BRC-119)

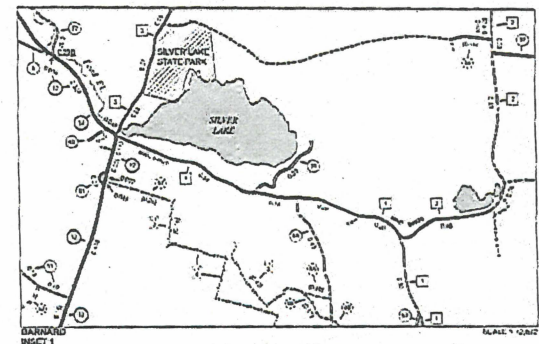
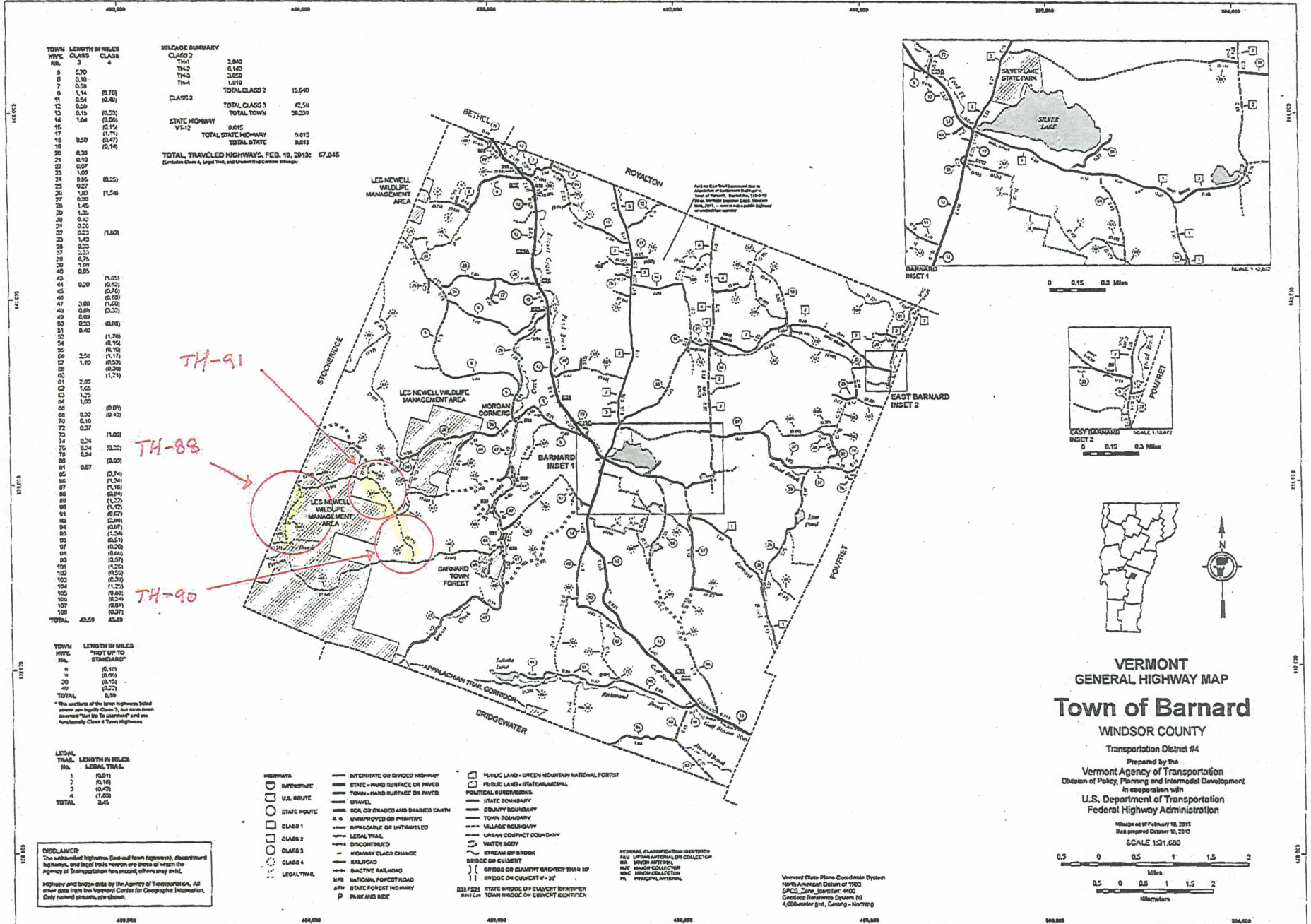
There are 3 surveys that have been submitted as evidence of the laying out of TH-90 (Charles French Road, BRC-119), Page 22, Entry A, Page 29, Entry A, and Page 71, Entry B. In review of these surveys and the section of BRC-119 that was added in 2010, some of the section seems to be accounted for, but there is also a section that no surveys seem to match. The survey Page 22, Entry A seems to match the alignment of TH-44 or TH-45 and doesn't seem to reflect any of the alignment of BRC-119 as highlighted on the full size map of Barnard's highway additions. The survey on Page 29, Entry A, seems to match the curve section of BRC-119 as it connects onto the end of TH-45. The last survey is a short section of 610.5 feet (37 rods) and I am uncertain to where this section connects, as I lack the primary documentation to the location of Marshal Townshend's or to which school house is being referenced. There does not seem to be any documentation to support the laying out of the southern section of BRC-119 from the intersection with BRC-120 to the intersection with TH-48.

I request documentation that provides evidence of the legal establishment of this road as a highway.

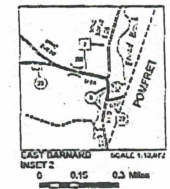
- TH-91 (Old Hathorn Road, BRC-120)

The survey that is used in the 2010 Mileage Certificate submittal for BRC-120, Page 22, Entry A when plotted represents a highway that is laid out in an alignment that trends from the northeast to the southwest. The alignment of TH-91 (BRC-120) was added from the highlighted map with an alignment that trends from the northwest to the southeast. Essentially, the survey does not represent the alignment of the highway that was added. The alignment of the survey better

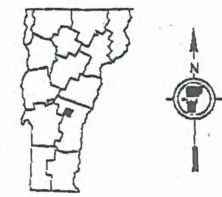




0 0.15 0.3 Miles



0 0.15 0.3 Miles



**VERMONT**  
**GENERAL HIGHWAY MAP**  
**Town of Barnard**  
 WINDSOR COUNTY  
 Transportation District #4  
 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  
 Maps as of February 18, 2013  
 Map prepared October 10, 2013  
 SCALE 1:31,600  
 0.5 0 0.5 1 1.5 2  
 Miles  
 0.5 0 0.5 1 1.5 2  
 Kilometers

TOWN	LENGTH IN MILES	CLASS
3	0.16	3
4	0.16	4
5	0.16	5
6	0.16	6
7	0.16	7
8	0.16	8
9	0.16	9
10	0.16	10
11	0.16	11
12	0.16	12
13	0.16	13
14	0.16	14
15	0.16	15
16	0.16	16
17	0.16	17
18	0.16	18
19	0.16	19
20	0.16	20
21	0.16	21
22	0.16	22
23	0.16	23
24	0.16	24
25	0.16	25
26	0.16	26
27	0.16	27
28	0.16	28
29	0.16	29
30	0.16	30
31	0.16	31
32	0.16	32
33	0.16	33
34	0.16	34
35	0.16	35
36	0.16	36
37	0.16	37
38	0.16	38
39	0.16	39
40	0.16	40
41	0.16	41
42	0.16	42
43	0.16	43
44	0.16	44
45	0.16	45
46	0.16	46
47	0.16	47
48	0.16	48
49	0.16	49
50	0.16	50
51	0.16	51
52	0.16	52
53	0.16	53
54	0.16	54
55	0.16	55
56	0.16	56
57	0.16	57
58	0.16	58
59	0.16	59
60	0.16	60
61	0.16	61
62	0.16	62
63	0.16	63
64	0.16	64
65	0.16	65
66	0.16	66
67	0.16	67
68	0.16	68
69	0.16	69
70	0.16	70
71	0.16	71
72	0.16	72
73	0.16	73
74	0.16	74
75	0.16	75
76	0.16	76
77	0.16	77
78	0.16	78
79	0.16	79
80	0.16	80
81	0.16	81
82	0.16	82
83	0.16	83
84	0.16	84
85	0.16	85
86	0.16	86
87	0.16	87
88	0.16	88
89	0.16	89
90	0.16	90
91	0.16	91
92	0.16	92
93	0.16	93
94	0.16	94
95	0.16	95
96	0.16	96
97	0.16	97
98	0.16	98
99	0.16	99
100	0.16	100
TOTAL	42.59	42.59

**VILLAGES SUMMARY**

CLASS 2	CLASS 3	CLASS 4
TH-1	2.040	
TH-2	0.140	
TH-3	2.020	
TH-4	1.318	
TOTAL CLASS 2	15.640	
TOTAL CLASS 3	42.59	
TOTAL TOWN	58.239	

**STATE HIGHWAY**

VIA-1	VIA-2
0.615	0.615
TOTAL STATE	0.615

**TOTAL TRAVELED HIGHWAYS, FEB. 10, 2013: 67.845**  
 (Excludes Class 4, Large Trail, and Unimproved Center Highway)

TOWN	LENGTH IN MILES	CLASS
1	0.16	1
2	0.16	2
3	0.16	3
4	0.16	4
5	0.16	5
6	0.16	6
7	0.16	7
8	0.16	8
9	0.16	9
10	0.16	10
11	0.16	11
12	0.16	12
13	0.16	13
14	0.16	14
15	0.16	15
16	0.16	16
17	0.16	17
18	0.16	18
19	0.16	19
20	0.16	20
21	0.16	21
22	0.16	22
23	0.16	23
24	0.16	24
25	0.16	25
26	0.16	26
27	0.16	27
28	0.16	28
29	0.16	29
30	0.16	30
31	0.16	31
32	0.16	32
33	0.16	33
34	0.16	34
35	0.16	35
36	0.16	36
37	0.16	37
38	0.16	38
39	0.16	39
40	0.16	40
41	0.16	41
42	0.16	42
43	0.16	43
44	0.16	44
45	0.16	45
46	0.16	46
47	0.16	47
48	0.16	48
49	0.16	49
50	0.16	50
51	0.16	51
52	0.16	52
53	0.16	53
54	0.16	54
55	0.16	55
56	0.16	56
57	0.16	57
58	0.16	58
59	0.16	59
60	0.16	60
61	0.16	61
62	0.16	62
63	0.16	63
64	0.16	64
65	0.16	65
66	0.16	66
67	0.16	67
68	0.16	68
69	0.16	69
70	0.16	70
71	0.16	71
72	0.16	72
73	0.16	73
74	0.16	74
75	0.16	75
76	0.16	76
77	0.16	77
78	0.16	78
79	0.16	79
80	0.16	80
81	0.16	81
82	0.16	82
83	0.16	83
84	0.16	84
85	0.16	85
86	0.16	86
87	0.16	87
88	0.16	88
89	0.16	89
90	0.16	90
91	0.16	91
92	0.16	92
93	0.16	93
94	0.16	94
95	0.16	95
96	0.16	96
97	0.16	97
98	0.16	98
99	0.16	99
100	0.16	100
TOTAL	42.59	42.59

\* The vertices of the lower highways listed above are legally Class 3, but were drawn down to Class 4 to maintain uniformity with Class 4 Town Highways

LEGAL TRAIL	LENGTH IN MILES
1	0.011
2	0.110
3	0.023
4	1.620
TOTAL	2.464

**DISCLAIMER**  
 This unshaded highway (road-out town) highway, unshaded highway, and legal trail maps are those of which the Agency of Transportation has received, others may exist. Highway and bridge data by the Agency of Transportation. All other data from the Vermont Center for Geographic Information. Only named roads are shown.

- LEGEND**
- HIGHWAY
  - INTERSTATE
  - STATE ROUTE
  - CLASS 1
  - CLASS 2
  - CLASS 3
  - CLASS 4
  - LEGAL TRAIL
  - INTERSTATE OR DIVIDED HIGHWAY
  - STATE-ROAD SURFACE OR PAVED
  - TOWN-HARD SURFACE OR PAVED
  - GRAVEL
  - SOIL OR DRANGED AND BRANDED EARTH
  - UNIMPROVED OR PRIMITIVE
  - IMPASSABLE OR UNTRAVELED
  - LEGAL TRAIL
  - DISCONTINUED
  - HIGHWAY CLASS CHANGE
  - RAILROAD
  - INACTIVE RAILROAD
  - NATIONAL FOREST ROAD
  - STATE FOREST HIGHWAY
  - PUBLIC AND RSC
  - PUBLIC LAND - GREEN MOUNTAIN NATIONAL FOREST
  - PUBLIC LAND - WINDSTAR NATIONAL FOREST
  - POLITICAL BOUNDARIES
  - STATE BOUNDARY
  - COUNTY BOUNDARY
  - TOWN BOUNDARY
  - VILLAGES BOUNDARY
  - URBAN COMPACT BOUNDARY
  - WATER BODY
  - STREAM OR BROOK
  - BRIDGE OR CULVERT
  - BRIDGE OR CULVERT GREATER THAN 20'
  - BRIDGE OR CULVERT 4'-20'
  - STATE BRIDGE OR CULVERT TWENTY FEET OR MORE
  - TOWN BRIDGE OR CULVERT TWENTY FEET OR MORE

FEDERAL CLASSIFICATION SYSTEM  
 FM FEDERAL ARTERIAL OR COLLECTOR  
 RM REGIONAL  
 MC MAJOR COLLECTOR  
 MC MINOR COLLECTOR  
 PM PRINCIPAL ARTERIAL

Vermont State Plane Coordinate System  
 North American Datum of 1983  
 GPCD\_State\_Identifier: 4400  
 Geoid: Reference System: NS  
 4,000-meter grid, Easting - Northing



State of Vermont  
Policy, Planning & Intermodal Development Division  
Mapping Unit  
One National Life Drive  
Montpelier, VT 05633-5001  
<http://www.aot.state.vt.us>

Agency of Transportation

Telephone: 802-828-2600  
Fax: 802-828-2334  
Email: [johnathan.croft@state.vt.us](mailto:johnathan.croft@state.vt.us)

January 22, 2014

Tom Morse, Selectboard Chair  
Barnard, c/o Town Clerk  
PO Box 274  
Barnard, VT 05031-0274

Dear Mr. Morse,

The VTrans Mapping Unit would like to follow-up with the Town of Barnard regarding several roads that were provided with the 2010 Certificate of Highway Mileage, in which VTrans has received questions from Patrick Berry, Commissioner of Fish & Wildlife at the Agency of Natural Resources in a letter dated February 24, 2012. Following the receipt and review of the letter from Commissioner Berry and review of the documentation provided in the original submittal of the 2010 Certificate of Highway Mileage from the Town of Barnard, we came to the conclusion that 3 of the highways needed clarification and the highway establishment was in question.

The VTrans Mapping Unit requested on May 5, 2012 additional documentation regarding the legal establishment of TH-88 (Gardner Road, BRC-115), TH-90 (Charles French Road, BRC-119) and TH-91 (Old Hathorn Road, BRC-120) that were added to the Mileage Certificate and Town Highway Map in 2010. No additional documentation or clarification regarding these roads was provided by the Town, with the exception of a letter from the Town Attorney stating "the town still believes that these roads are properly identified." There remain significant questions and concerns regarding the legal establishment of these roads as town highways, and I seek clarification and additional documentation supporting their creation. A listing of each road and issues related to the initial documentation provided and questions raised during review of these documents are articulated below.

VTrans Mapping is acting under the authority provided in the following statutory provisions:

*19 V.S.A. § 305(a) & (c). Measurement and inspection*

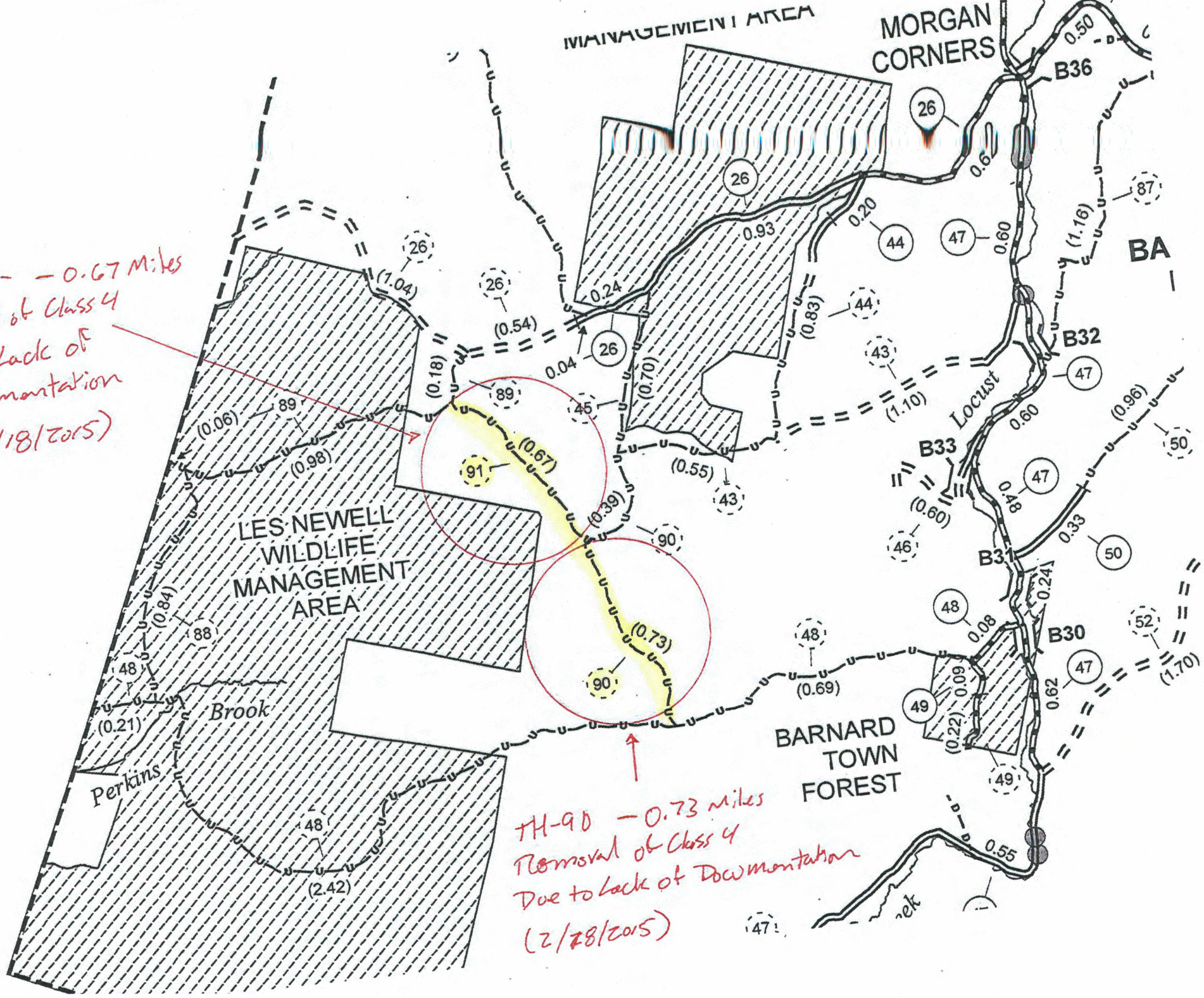
*(a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the*





M-91 - - 0.67 Miles  
Removal of Class 4  
Due to Lack of  
Documentation  
(2/18/2015)

TH-90 - 0.73 Miles  
Removal of Class 4  
Due to Lack of Documentation  
(2/28/2015)





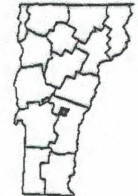
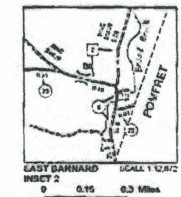
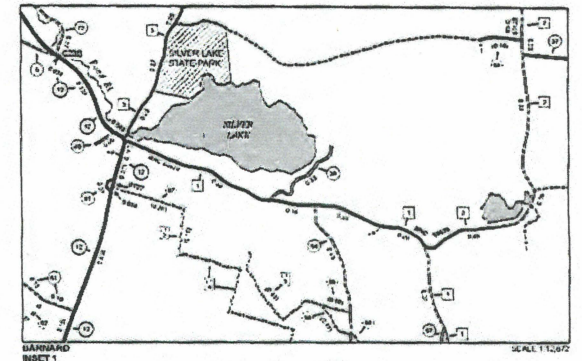
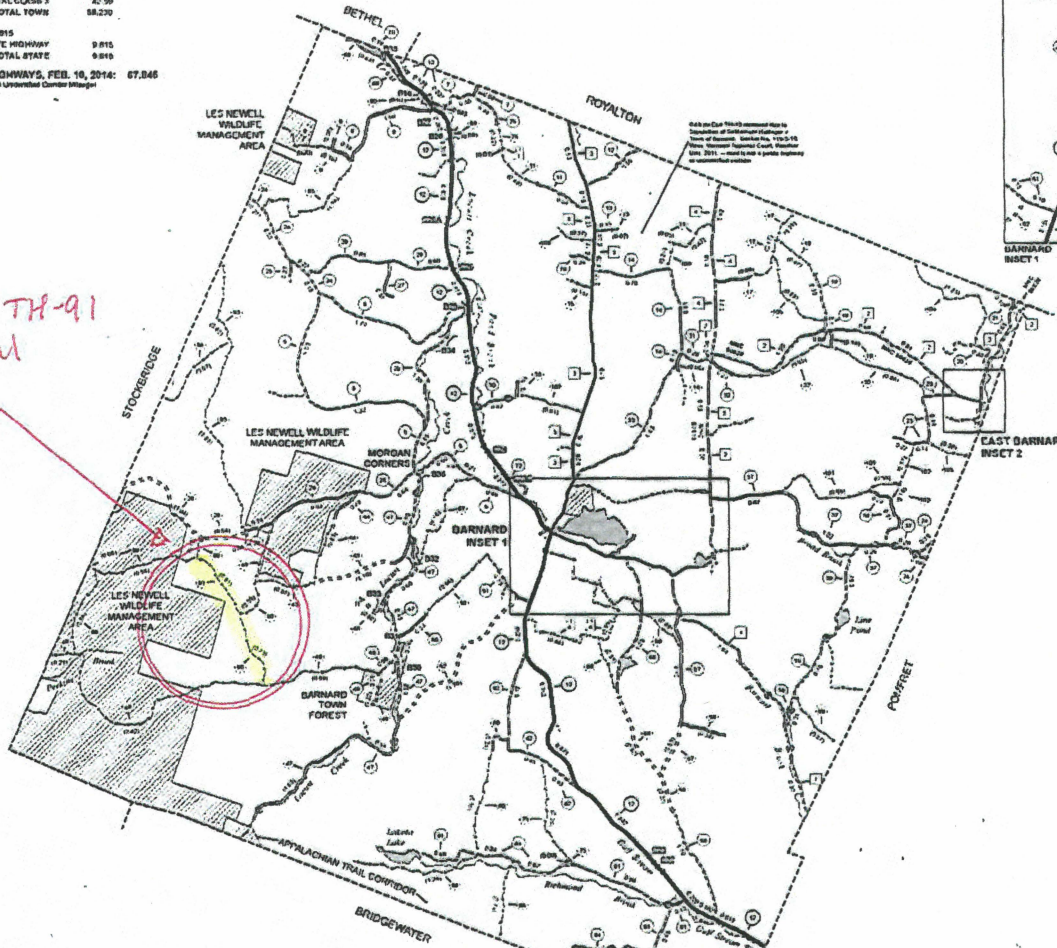
TOWN	LENGTH IN MILES
HWY. CLASS	CLASS
No. 3	4
5	3.70
6	0.75 (0.70)
7	0.56
8	1.14 (0.70)
11	0.54 (0.48)
12	0.60
13	0.15 (0.50)
14	1.84 (0.06)
16	0.15 (0.15)
17	0.50 (0.11)
18	0.50 (0.47)
19	0.30 (0.14)
21	0.10
22	0.07
24	1.00
24	0.88 (0.29)
28	0.27
38	1.80 (1.50)
40	0.30
39	1.45
29	1.35
30	0.40
31	0.26
32	0.23 (1.00)
33	1.43
36	0.33
37	0.22
38	0.75
40	1.00
43	0.30 (1.00)
46	0.30 (0.50)
47	0.80 (0.70)
48	0.08 (1.30)
49	0.33 (0.80)
50	0.40
51	0.10 (1.70)
52	0.16 (0.10)
54	2.50 (1.17)
57	1.10 (0.50)
58	0.20 (0.20)
60	0.40 (1.21)
61	2.65
62	1.00
63	1.20
64	1.00
66	0.00 (0.00)
68	0.30 (0.40)
70	0.10
72	0.37
74	0.24 (1.00)
76	0.34 (0.30)
78	0.24 (0.10)
81	0.07 (0.74)
86	1.24 (1.24)
87	1.16 (0.80)
88	0.60 (0.60)
89	1.20 (1.20)
91	0.40 (0.40)
92	0.80 (0.80)
94	0.90 (0.90)
96	1.24 (1.24)
98	0.50 (0.50)
99	1.25 (1.25)
101	0.50 (0.50)
102	0.30 (0.30)
103	0.30 (0.30)
104	1.20 (1.20)
105	0.80 (0.80)
106	0.24 (0.24)
107	0.80 (0.80)
108	0.37 (0.37)
TOTAL	42.50 42.89

**RELEASE SUMMARY**

CLASS 2	TH-1	TH-2	TH-3	TH-4	TOTAL CLASS 2
	3.940	0.160	3.900	7.810	15.640
TOTAL CLASS 2					15.640
CLASS 3					42.50
TOTAL CLASS 3					42.50
TOTAL TOWN					58.220
STATE HIGHWAY					9.815
VT-12					9.815
TOTAL STATE HIGHWAY					9.815
TOTAL STATE					67.845

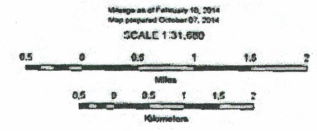
**TOTAL TRAVELED HIGHWAYS, FEB. 10, 2014: 67.845**  
(Excludes Class 4 Legal Trail and Unimproved Center Intake)

TH-90 + TH-91  
Removal



**VERMONT  
GENERAL HIGHWAY MAP**  
**Town of Barnard**  
WINDSOR COUNTY

Transportation District #4  
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



TOWN	LENGTH IN MILES
HWY.	"NOT UP TO STANDARD"
No. 3	0.14
5	0.00
30	0.14
40	0.20
TOTAL	0.59

\*The sections of the town highways being shown are legally Class 3, and have been downgraded "Not Up To Standard" and are functionally Class 4 Town Highways

LEGAL TRAIL	LENGTH IN MILES
No.	LEGAL TRAIL
1	0.00
2	0.00
3	0.40
4	1.80
TOTAL	2.40

**DISCLAIMER**  
This unimproved highways (dashed line highways), discontinued highways, and legal trails have no right-of-way which the Agency of Transportation has no control, unless they are shown.

Highways and bridge data by the Agency of Transportation. Town and village boundaries are shown from the Vermont Online Bridge & Culvert Inventory Tool (VOCIT) database. All other data from the Vermont Center for Geographic Information. Only named streets are shown.

- HIGHWAYS**
- INTERSTATE OR DIVIDED HIGHWAY
  - STATE - HARD SURFACE OR PAVED
  - TOWN - HARD SURFACE OR PAVED
  - GRAVEL
  - SOIL OR BRACKEN AND DRAINAGE CANALS
  - UNIMPROVED OR PRIVATE
  - UNPAVED OR UNPAVED LEO
  - LEGAL TRAIL
  - DISCONTINUED
  - HIGHWAY CLASS CHANGE
  - RAILROAD
  - INACTIVE RAILROAD
  - NATIONAL FOREST ROAD
  - STATE FOREST HIGHWAY
  - PARKWAY
- LEGAL TRAIL**
- 1
  - 2
  - 3
  - 4
- PUBLIC LAND - GREEN MOUNTAIN NATIONAL FOREST**
- PUBLIC LAND - STATE/MUNICIPAL
  - POLITICAL JURISDICTIONS
  - STATE BOUNDARY
  - COUNTY BOUNDARY
  - TOWN BOUNDARY
  - VILLAGE BOUNDARY
  - UNINCORPORATED BOUNDARY
  - WATER BODY
  - STREAM OR BROOK
  - BRIDGE OR CULVERT
  - RAILROAD
  - BRIDGE OR CULVERT - 20'
  - BRIDGE OR CULVERT - 30'
  - VORTEX BRIDGE
  - VORTEX CULVERT - 4'
  - STATE BRIDGE OR CULVERT IDENTIFIER
  - TOWN BRIDGE OR CULVERT IDENTIFIER
- FEDERAL CLASSIFICATION IDENTIFIER**
- 11 US HIGHWAY DATA COLLECTOR
  - 12 STATE HIGHWAY DATA COLLECTOR
  - 13 FEDERAL HIGHWAY DATA COLLECTOR
  - 14 FEDERAL HIGHWAY DATA COLLECTOR
  - 15 FEDERAL HIGHWAY DATA COLLECTOR

Vermont State Plane Coordinate System  
North American Datum of 1983  
GCS: NAD83, Vermont State Plane  
Geoid: Vermont State Plane 80  
4,000-meter grid, Contour - Horizontal



**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    BARNARD    in    WINDSOR    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
Class 2	15.640				0.000
Class 3	42.59				0.000
State Highway	9.615				0.000
<b>Total</b>	<b>67.845</b>				<b>0.000</b>
* Class 1 Lane	0.000				
* Class 4	44.28		1.40		0.000
* Legal Trail	2.45				
* Unidentified Corridor	0.00				

\* 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).  
 - .40 mi CL4 removed -- legal establishment of highways not documented  
 (-0.73 mi CL4 portion of TH-90, -0.67 mi CL4 TH-91)
- 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: \_\_\_\_\_

T/C/V Clerk Signature: \_\_\_\_\_ Date Filed: \_\_\_\_\_

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

seems to some semblance of the road as it relates to the full town map with highlighted sections, but there is some question by ANR to the origin of the survey in Page 49, Entry A. Following the additional review by VTrans, there is a concern that the assumed origin may not be accurate for the 1827 survey (Page 49, Entry A). I am unable to ascertain where the origin of this survey is and don't have any primary documentation to the location of Thomas Winslow's house in Stockbridge, as described in the Page 49, Entry A survey. It could be assumed that the road referred to as the road surveyed from Galus Perkins in Barnard to the Stockbridge line is TH-48 (Hayes Brook Road).

In a letter from ANR, there is notation regarding BRC-115 which references an additional survey 6d (Page 6, Entry d), that was not part of the original submittal from Barnard with the 2010 Mileage Certificate. I would like to request a copy of this survey, as it may provide additional information regarding the laying out of this highway.

I would like to receive additional documentation regarding the legal establishment of this road as a highway, including clarification of the origins of the surveys, which can be in the form of a sketch map, orthophotos, or other map showing the location of the survey origins, and also a copy of the survey noted on Page 6, Entry d.

- TH-90 (Charles French Road, BRC-119)

There are 3 surveys that have been submitted as evidence of the laying out of TH-90 (Charles French Road, BRC-119), Page 22, Entry A, Page 29, Entry A, and Page 71, Entry B. In review of these surveys and the section of BRC-119 that was added in 2010, some of the section seems to be accounted for, but there is also a section that no surveys seem to match. The survey Page 22, Entry A seems to match the alignment of TH-44 or TH-45 and doesn't seem to reflect any of the alignment of BRC-119 as highlighted on the full size map of Barnard's highway additions. The survey on Page 29, Entry A, seems to match the curve section of BRC-119 as it connects onto the end of TH-45. The last survey is a short section of 610.5 feet (37 rods) and I am uncertain to where this section connects, as I lack the primary documentation to the location of Marshal Townshend's or to which school house is being referenced. There does not seem to be any documentation to support the laying out of the southern section of BRC-119 from the intersection with BRC-120 to the intersection with TH-48.

I request documentation that provides evidence of the legal establishment of this road as a highway.

- TH-91 (Old Hathorn Road, BRC-120)

The survey that is used in the 2010 Mileage Certificate submittal for BRC-120, Page 22, Entry A when plotted represents a highway that is laid out in an alignment that trends from the northeast to the southwest. The alignment of TH-91 (BRC-120) was added from the highlighted map with an alignment that trends from the northwest to the southeast. Essentially, the survey does not represent the alignment of the highway that was added. The alignment of the survey better



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.

(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.

<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=19&Chapter=003&Section=00305>

The roads that VTrans sought additional information for included TH-88 (Gardner Road, BRC-115), TH-90 (Charles French Road, BRC-119) and TH-91 (Old Hathorn Road, BRC-120). I have reviewed the surveys and documentation provided by the Town again for these 3 roads. From the documentation that was provided by Barnard with the 2010 Mileage Certificate, there seems to be different alignments between the highlighted sections on the "Town of Barnard" map from April 1, 2005 and the individual surveys provided for each highway.

Here are the outstanding issues that cannot be verified through the use of the information thus far provided by the Town of Barnard:

— TH-88 (Gardner Road, BRC-115)

There are 2 surveys that were submitted as evidence of the laying out of Gardner Road, BRC-115, being Page 49, Entry A and Page 71, Entry A. Both of the surveys were plotted and there is a question to the origin of each of the survey traverses. In the initial review by VTrans in 2010, it was assumed that both surveys originate near the same point, being near the house of Alanson Packard, also referred to in the ANR documentation as Alonzo Packard. This point is assumed to be the site of the house noted as A. Packard in the southwest corner of District No. 9 on the 1869 FW Beers Atlas of Windsor County.

The transcription in the 2010 Barnard Mileage Certificate submittal for Page 71, Entry A notes an Alanson Parkhurst, but I believe there is an error in transcription and this should be Alanson Packard, as it seems to be written in the photocopy of the original document.

When plotted with both alignments meeting at the A. Packard house, there




matches the alignment of TH-44 or TH-45.

I request documentation that provides evidence of the legal establishment of this road as a highway.

The Agency of Transportation has been unable to verify the existence of the southern section of TH-90 (Charles French Road, BRC-119) being 0.73 miles from the intersection with TH-91 (Old Hathorn Road, BRC-120) south to the intersection of TH-48 (Hayes Brook Road) and TH-91 (Old Hathorn Road, BRC-120) being 0.67 miles in length from the records provided by the Town. Accordingly, there is insufficient information available to determine that these roads are town highways under Vermont law and the VTrans Mapping intends to drop these roads from the Town Highway Map and Mileage Certificate unless the Town of Barnard provides additional documentation that demonstrates the legal establishment of these roads as highways. In accordance with 19 V.S.A. § 305(a) the Town will have one year from the date of this letter to provide that information. VTrans Mapping also requests additional clarification and documentation regarding TH-88 (Gardner Road, BRC-115), due to questions on the origin of the surveys that were provided.

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

Sincerely,



Johnathan Croft  
AOT GIS Database Administrator  
VTrans Mapping Unit

JFC/jfc

Enclosure

cc: Preston Bristow, Barnard Zoning Administrator  
John Dunleavy, Assistant Attorney General  
William Rice, VTrans Staff Attorney  
Tammy Ellis, District Transportation Administrator  
Jackie Cassino, VTrans Transportation Planning Coordinator  
Kim Royar, ANR - Fish & Wildlife Department



