

CERTIFICATE OF HIGHWAY MILEAGE FOR YEAR ENDING FEB. 10, 1992

Fill out the certificate, file a copy with the Town Clerk, and mail original to Vt. Agency of Transportation, Planning Division before February 10, 1992.

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

(c)
dch

PART I

DISTRICT 2

We, the Selectmen/Trustees/Aldermen of Cavendish, Windsor 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, 1991	0.000	11.850	43.220	3.450	11.822	66.892
MILEAGE ADDED SINCE FEBRUARY 10, 1991 EXPLAIN UNDER (1) BELOW	0	0	0.12	0	0	0.12
SUB TOTAL						
MILEAGE SUBTRACTED SINCE FEBRUARY 10, 1991 EXPLAIN UNDER (2) AND (3)	0	0	0	0	0	0
TOTAL HIGHWAY MILEAGE FEB. 10, 1992	0.000	11.850	43.340	3.450	11.822	67.012
SCENIC HIGHWAY MILEAGE (19 VSA 2502)	0	0	0	0	0	0

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.

See (3) Below

(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.

None

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

See Materials Attached

(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.

None

PART II ■ CHECK BOX IF NO CHANGES IN MILEAGES.

PART III

SELECTMEN/ALDERMEN/TRUSTEES SIGNATURES

Thomas L. Lazerer
Sandra F. Starns
William L. Busewell

Town/City/Village CLERK SIGNATURE: Ronald P. Butler Jr. attests that this record of highway mileage was filed and recorded on March 24, 1992.

Approved: [Signature] Representative, Agency of Transportation

3/27/92
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

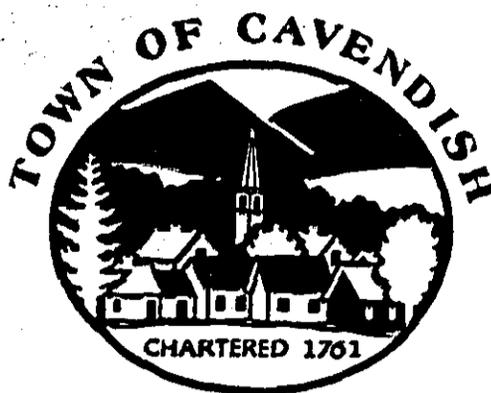
(a) On recommendation of the planning commission of a municipality, or on the initiative of the legislative body of a municipality, a legislative body may, after one public hearing warned for the purpose, designate or discontinue any town highway or portion of a town highway as a town scenic highway. 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
PLANNING DIVISION
133 STATE STREET
MONTPELIER, VERMONT 05633

TOWNMANAGER
SELECTMEN
(802) 226-7291



TOWN CLERK
TOWN TREASURER
(802) 226-7292

March 24, 1992

Edward J. Chabot, Business Manager
Planning Division
State Agency of Transportation
133 State Street, Administration building
Montpelier, Vermont 05633

Dear Mr. Chabot:

This letter is to supplement the 1992 Certificate of Highway Mileage. As I have explained to Dilena in your office, we have had two problems this year with regard to our submission. The first problem was that the documentation package sent out by your office was received by the (then) chairman of the Select Board but was not acted upon - being ultimately handed over to the Town Manager upon the former chairman's exit from office following Town Meeting election. The second problem is that a discrepancy in highway mileage was identified by me and has taken considerable research to track down the origin of error. The balance of this letter, then, will describe in summary fashion what I have been able to discover regarding the discrepancy in mileage as recorded in your office for Cavendish Town Highway #66.

In 1980 a developer created a legal subdivision and later approached Cavendish town officials expressing a desire to have the town take over a roadway into the subdivision as a town highway. After several years of activity and some debate, the highway right-of-way was deeded to the town, accepted by the town and recorded in the Town of Cavendish land records as an open public highway in November of 1986.

In the 1987 Certificate of Highway Mileage submitted to your office, the Town of Cavendish indicated an addition of 0.15 miles of Class II and 0.15 miles of Class III highway. These additions were representative of the aforementioned highway which had been officially opened that previous November.

The State Highway aid for 1987, however showed an increase of 0.15 miles in the Class III category, but **no change** in the Class II category. Apparently the addition of 0.15 miles of Class II as indicated on the Town's certificate had either been inadvertently omitted or disapproved. I cannot find any records that the Town received any notification of disapproval of the Class II addition or approval in another category. The Town however has maintained both segments ever since 1986. Indeed, the segment at issue is that asphalt paved segment which connects the section approved in 1987 as Class III with State Highway 131.

POST OFFICE BOX 126
CAVENDISH, VERMONT 05142-0126

1988 Cavendish Highway Certification

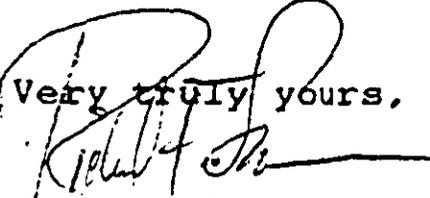
I have submitted herewith a photostatic copy of Jay Kilton's 1990 inventory notes which indicates a measured length of 0.27 miles for Town Highway #66 rather than the 0.15 which is indicated on the Town Highway map of Cavendish (a copy of that map section is also included with this letter).

The resolution to this issue should be that the official mileage measurement for Town Highway #66 should be changed to 0.27 miles of Class III roadway. It is clear that the segment which was indicated on the 1987 Mileage Certificate as 0.15 miles of Class II does not meet the criteria for a Class II roadway. It certainly does, however, meet the criteria for Class III. I have personally measured Town Highway #66 and also accompanied Jay Kilton when he measured the length. These more recent measurements both indicate an actual length of 0.27 miles.

Your assistance in making sure that the proper measurement of Town Highway #66 is made official with your agency would be appreciated.

Thank you very much.

Very truly yours,


Richard F. Svec
Town Manager