

CERTIFICATE OF HIGHWAY MILEAGE

YEAR ENDING FEBRUARY 10, 2005

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2005 to: VT Agency of Transportation, Program Development Division, Drawer 33, Montpelier, VT 05633.

We, the Selectmen or Aldermen or Trustees of SHARON in 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:

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 1 Lane, Class 2, Class 3, State Highway, Class 4, and Total. Includes handwritten corrections in red ink.

* Class 1 Lane Mileage and Class 4 is NOT included in total. Total by S. Moulton 3/31/05

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

Error correction by S. Moulton 11/14/05

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".

see attached documents

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. []

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

Handwritten signatures: Robert Ferguson, Bill Wether, Kevin Blakeman

Clerk Signature:

Handwritten signature: Joanne M. Slater

Date Filed:

2/8/05

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL

Signed copy will be returned to T/C/V Clerk.

APPROVED:

Handwritten signature: Michael Dubois

Representative, Agency of Transportation

DATE:

May 20, 2005

**TOWN OF SHARON
P.O. BOX 250
SHARON, VT 05065**

February 2, 2005

Ms. Sara Moulton
Mapping & GIS Unit
VT Agency of Transportation
National Life Building, Drawer 33
Montpelier, VT 05633-5001

Dear Ms. Moulton:

Enclosed please find our certificate of highway mileage which has been revised to show that the Town has accepted new class 3 town highways – Baxter Mountain Road, Breezy Lane, and Karilyn Drive (all in one subdivision off TH17) and Sharon Academy Access Road (off TH60 off Rte. 14 N.). The breakdown of mileage is as follows:

TH-63

1. Baxter Mountain Road: from its intersection with TH17 to its jct. with Karilyn Drive: approximately ^{0.59} ~~594~~ miles (see attached Order).

TH-64

2. Breezy Lane: from its intersection with Baxter Mountain Road to its terminus at the turnaround: approximately ^{0.13} ~~127~~ miles.

TH-65

3. Karilyn Drive: from its intersection with Baxter Mountain Road to the turnaround and terminus of the road: approximately ^{0.51} ~~511~~ miles.

TH-66

4. Sharon Academy Access Rd: Sharon Academy Rd. leaves TH60 (off Rte. 14 North) prior to the Town Garage and travels southeasterly and up a steep grade for a distance of approximately 1,100 feet or approximately ^{0.21} ~~208~~ miles.

Please note these were all private roads. Thus we do not have any highway numbers assigned to them. Please advise as to their highway numbers when you have assigned them. Thank you.

We have enclosed copies of the Selectboard minutes, and the Order and Certificates of Acceptance for these roads as recorded by Sharon Town Clerk.

Sincerely,



Margy Becker
Selectmen's Assistant

Cc: file
Selectmen

Rounding and TH #'s by S. Moulton 3/25/05

TOWN OF SHARON
Board of Selectmen

CERTIFICATE OF COMPLETION AND ACCEPTANCE
Of the Sharon Academy Access Road
as a Class 3 Town Highway

KNOW ALL PERSONS BY THESE PRESENTS, that the SELECTBOARD of the TOWN OF SHARON, VERMONT, at a meeting duly warned and convened on 10/26/04, a quorum being present, by vote of the necessary majority, pursuant to **TITLE 19 VSA Sec. 701 ET SEQ**, after examining the roads and surrounding area and finding the acceptance of the roads now and formerly known as the **Sharon Academy Access Road** to be in the public good, and for the necessity and convenience of the inhabitants of the Town, have laid out the so-called **Sharon Academy Access Road** as it is highlighted and appears in the Quitclaim Deed from The Sharon Academy to the Town of Sharon dated 10/26/04 and recorded in Book 72 Page(s) 175-176 of the Town of Sharon Land Records, and in the map appearing in Survey Book 5 Map pages 96 of the Town of Sharon Land Records.

The **Sharon Academy Access Road** shall become laid out as a Class 3 Town Highway on November 1st, 2004. Said highways will become open for public travel on November 1, 2004.

Dated at Sharon, Vermont this 26th day of October, 2004.

IN THE PRESENCE OF:

THE TOWN OF SHARON

Margaret E. Becker
WITNESS TO ALL

Bob Ferguson
Bob Ferguson, Selectmen

Bill Kitchel
Bill Kitchel, Selectmen

Kevin Blakeman
Kevin Blakeman, Selectmen

TOWN OF SHARON, VT

Received for record November 22 2004

at 11:35 o'clock A M. and recorded in

Sharon land Records, Vol. 72 Page 313

Attest: Jouanne m Slater, T.C.

TOWN OF SHARON
Board of Selectmen

CERTIFICATE OF COMPLETION AND ACCEPTANCE
of Baxter Mountain Road
Breezy Lane, and
Karilyn Drive
as Class 3 Town Highways

KNOW ALL PERSONS BY THESE PRESENTS, that the SELECTBOARD of the TOWN OF SHARON, VERMONT, at a meeting duly warned and convened on October 19, 2004, a quorum being present, by vote of the necessary majority, pursuant to **TITLE 19 VSA Sec. 701 ET SEQ**, after examining the roads and surrounding area and finding the acceptance of the roads now and formerly known as Baxter Mountain Road, Breezy Lane, and Karilyn Drive to be in the public good, and for the necessity and convenience of the inhabitants of the Town, have laid out the so-called Baxter Mountain Road, Breezy Lane, and Karilyn Drive as they are highlighted and appear in the Quitclaim Deed from J.W. Associates, LLC to the Town of Sharon dated 10/21/04 and recorded in Book 72 Page(s) 159-163 of the Town of Sharon Land Records, and in the maps appearing in Survey Book 5 Map pages 27, 45, and 46 and Subdivision Plat #17 entitled "Fisk Property Subdivision, Sharon, VT", all being recorded in the Town of Sharon Land Records.

Baxter Mountain Road, Breezy Lane, and Karilyn Drive shall become reclassified as Class 3 Town Highways on November 1st, 2004. Said highways will become open for public travel on November 1, 2004.

Dated at Sharon, Vermont this ²⁵~~19th~~ day of October, 2004.

IN THE PRESENCE OF:

Margaret E. Becker

WITNESS TO ALL
10-25-04

THE TOWN OF SHARON

Bob Ferguson
Bob Ferguson, Selectmen

Bill Kitchel
Bill Kitchel, Selectmen

Kevin Blakeman
Kevin Blakeman, Selectmen

TOWN OF SHARON, VT
received for record October 28 2004
at 9:46 o'clock A M. and recorded in
Sharon Land Records, Vol. 72 Page 164
Attest: Jeanne M. Slater, T.C.

TOWN OF SHARON
Selectmen's Findings
And Order
To Accept A Private Road
Known as the Sharon Academy Access Drive
As a CLASS 3 TOWN HIGHWAY

Background:

On September 3, 2002 The Sharon Selectboard had been presented a petition by more than 5% of the voters asking the Town to consider accepting the Sharon Academy access drive of approximately 1,100 feet as a Class III town highway. (Reference minutes of 9/3/02) This action had been initiated by the Sharon Academy pursuant to Title 19 Sec. 708 "Petition".

Pursuant to Title 19 Section 709 "Notice and Hearing" the Selectboard duly warned a public hearing for October 15, 2002. Selectmen conducted a site visit and public hearing on October 15, 2002. The public hearing was attended by approximately 30 people. (Reference minutes of 10/15/02)

Selectmen met at a duly-warned regular meeting on November 19, 2002. Selectmen discussed the draft findings of fact and came to the following conclusions:

- A. The unknown risks to the Town of taking over a road that is not yet completed and which has not weathered a full year of operations outweigh the public benefits of taking over the road at this time.
- B. Selectmen noted that much land had been leveled above the road and that drainage needs to be monitored.
- C. Selectmen noted road construction involved a previously unstable area.

Selectmen subsequently voted not to accept the Sharon Academy access drive as a Class III road on 12/9/02. (Reference Selectmen's Findings & Order 12/9/02)

Findings of Facts:

On April 6, 2004 the Sharon Selectboard initiated Title 19 proceedings to re-consider the question of whether or not to accept the Sharon Academy Access drive as a Class III town highway. This was the second time within two years the Selectboard has considered this question. (Reference minutes of 4/6/04)

A duly-warned public hearing was convened June 15, 2004 and closed August 24, 2004. Selectmen conducted a site visit also on June 15, 2004. The Board reported

at the public hearing the road has been paved and has a performance history of two years. Selectmen testified as to concerns regarding severe erosion occurring on the upper "S" curve at the location where the culvert crosses the road. This culvert drains the playing fields and directs drainage off-premise to an old road that drains down along the Kenyon property into a culvert under Rte. 14 and into the White River. (Reference minutes of 6/15/04)

Judy Moore testified the Academy has had to amend its Act 250 permit to address correction of drainage issues. Doug Moore testified that a series of catch basins to hold and slow down the velocity of water is presently the approach to mitigate severe erosion. Doug Moore testified that the TSA has petitioned VTrans to enlarge the culvert under Rte. 14. (Reference minutes of 6/15/04)

The Selectboard agreed to recess the public hearing until July 20, 2004, and then to August 24, 2004 to enable the TSA to progress with mitigation of drainage problems. (Reference minutes of 8/24/04 and 7/20/04)

Michael Livingston testified on 8/24/04 that the TSA would be replacing the culvert at the "S" curve that drains the soccer fields with a larger culvert. The TSA will also be responsible for "upsizing" the culvert(s) on Rte.14. The construction work was in progress as of 8/24/04. Michael Livingston testified that the final re-paving of the road would coincide with paving of Rte. 14. (Reference minutes of 8/24/04)

Bob Ferguson testified on 8/24/04 for the record that the Selectboard did not note any other drainage problems other than those to be corrected through the Act 250 process. (Reference minutes of 8/24/04; 7/20/04)

Judy Moore testified there are still plans for guardrails or posts – though not for band rail. (Reference minutes of 6/15/04)

Road Description (pursuant to the Town's Highway Policy, Sec. 4.2

Location: The access road under consideration leaves Town Highway 60 prior to the Town Garage and travels 1,100 feet in a southeasterly direction across lands of the Town of Sharon and Sharon Academy.

Sec. 4.2 (a) Design: The placement, width, surface, and final grades of said road are governed by (Act 250) Land Use Permit ("LUP") No. 3W0862 and subsequent amendments, issued to The Sharon Academy by the District 3 Environmental Commission and dated May 1, 2002. The permit enables Sharon Academy to "construct a school building with a gymnasium, caretaker's house, 1300 feet of access road and parking, and to protect 30 acres of primary agricultural land." (Reference Land Use Permit 3W0862) The access road was constructed according to state specifications, in conformance with the Sharon Highway policy guidelines for road construction, and it was constructed within the described limits of a

temporary construction easement from the Town of Sharon to Sharon Academy dated May 15, 2002. (Reference Selectmen's Findings & Order of 12/9/02)

LUP# 3W0862 also states "the project is approved for the following maximum impacts: 55 vehicle parking spaces, 50 additional spaces for major events; 50 vehicle trips per day." Finding 27 under Criteria 5 Transportation states "the school will accommodate up to 140 students and 20 faculty and staff."

Sec. 4.2 (b) Inspection: The Road Foreman and Selectmen have inspected this road in October of 2002, June and September of 2004. A third party engineering inspection was performed for the Selectboard on September 21, 2004 (Reference minutes of 10/15/02, 6/15/04, 9/21/04).

Sec. 4.2(c) Right-of-Way Width: The centerline and 50-foot right-of-way of this access drive are more specifically described in the permanent easement from the Town of Sharon to The Sharon Academy dated April 6, 2004 and recorded in Sharon Land Records in Book 70 pages 304-305.

Sec. 4.2(d)(e) Traveled Way and Shoulder Width: The paved traveled way of 24 feet allows for traveled way width of 20 feet with two foot shoulders. (Inspection 6/15/04) Condition 12 of LUP #3W0862 states "the permittee shall pave the shoulders of the road for bicycle/pedestrian access at a time a bike path is constructed in the vicinity of the access road".

Sec. 4.2(f) Sub-grade and Surface Preparation: The base and sub-base is 18 inches of crushed stone. 4 inch minus stone was unavailable, thus 6 inch minus stone subsidized with 2 inch minus stone was installed. There was one coat of pavement upon inspection in October 2002. A second coat of pavement was applied in Spring of 2003. (Reference public hearing minutes of 6/15/04; Selectmen's Findings & Order 12/9/02)

Sec. 4.2(g) Drainage Ditches: Ditching extends on both sides and for the entire length of the road. Ditches are 12 inches below finished grade. Ditches are lined with 6 inch minus stone. Slopes are no greater than 2:1. They have been seeded and raked. (Reference Selectmen's Findings & Order of 12/9/02)

Sec. 4.2(h) Culverts: Culverts are to state standards. There is an 18-inch pipe at the bottom of the drive; the 18-inch pipe at the "S" curve has been replaced with a 24-inch pipe to direct water flow off-site into drainage channels to culverts underneath Rte. 14. (Reference minutes 8/24/04)

Sec. 4.2(I) Grades: The Sharon Academy "shall construct the paved road with a grade no greater than 14%, with two 12-foot travel ways". (Reference Land Use Permit 3W0862 Condition No. 10) The road is constructed with a maximum grade of 12% with a transition grade of 7% to a final 1% grade, with 12-foot travel ways. A 50-foot right-of-way is proposed. (Reference Selectmen's Findings & Order 12/9/02)

Sec. 4.2.(J) Alignment & Curves: The drive has been constructed to allow passage of emergency and maintenance vehicles. Fire Chief David Potter has testified the road is steep, but that the only problem for the Fire Department will be ice in the winter. The Fire Department uses manual chains. The road would have to be sanded in order to get water up the road. (Reference Selectmen's Findings & Order 12/9/02)

Sec. 4.2.(K) Bridges: There are no bridges. (Reference minutes 10/15/02)

Sec. 4.2.(L) Turnarounds: The turnaround in front of the school is large enough to enable a Town snowplow to turn around in front of the school. However, the Sharon Academy proposes Town ownership of the road would end at the edge of the parking lot. (Reference Selectmen's Hearing & Order 12/9/02)

Public Good, Necessity, and Convenience of Inhabitants

The Sharon Academy (TSA) serves 48 Sharon students. TSA enrolls approximately 50% of Sharon 7th graders. (Reference public hearing minutes of 6/15/04)

TSA currently employs 8 Sharon residents as well as residents of surrounding towns. (Reference public hearing minutes of 6/15/04)

TSA students pay the average costs for their education – not a premium cost (Reference Selectmen's Findings & Order 12/9/02)

TSA has completed and paid for renovations to the Old School House. It has also made renovations to Sharon Church and Sharon Lighthouse. (Reference Selectmen's Findings & Order 12/9/02)

The Town would receive increased state aid for Class 3 roads, should it elect to take over the access drive. (reference Selectmen's Findings & Order 12/9/02)

TSA has brought increased revenues generation to local merchants. (Reference Selectmen's Findings & Order 12/9/02)

The TSA will make available trails and athletic facilities to Sharon residents in the future. (Reference Selectmen's Findings & Order 12/9/02)

The TSA is a private enterprise with non-profit status. It is also a tax-exempt organization. (Reference Selectmen's Findings & Order 12/9/02)

Public sentiment was expressed for and against taking over the access road (Reference Selectmen's Findings & Order 12/9/02). There was no public testimony against taking over the access road at the June 15, 2004 public hearing or subsequent hearings. (Reference minutes of 6/15/04; 8/24/04)

A major public benefit to the Town in general is that the Sharon Academy provides an in-town education alternative that helps relieve pressure on the primary receiving districts of Hartford and South Royalton. (Reference minutes of 9/21/04)

Conclusions and Order

Selectmen met at a duly warned regular meeting on September 21, 2004. Selectmen reviewed the evidence and came to the following conclusions: In re: Title 19 Sec. 710 the "Public Good, necessity and convenience of the inhabitants" supports acceptance of the Sharon Academy Road as a public highway.

Selectmen Chair Bob Ferguson made the MOTION "that the Town should take over the Sharon Academy Access Road as a CLASS 3 TOWN HIGHWAY contingent on the following conditions being met:

- 1) The Sharon Academy is requested to mark, with reflectors, the beginning of the inside ditch line at the "S" curve in the vicinity of the culvert. (Guard rails will not be required to be installed).
- 2) The Sharon Academy shall submit to the Selectboard a statement that the Academy is in substantial compliance with its Act 250 permit and subsequent amendments.
- 3) The proper deed and survey be filed with the Sharon Town Clerk.

The MOTION was seconded and carried unanimously."

SHARON SELECTBOARD

DATED: 10/19/04

Robert Ferguson Bob Ferguson, Chair

Bill Kitchel Bill Kitchel, Vice Chair

Kevin Blakeman Kevin Blakeman, Clerk

TOWN OF SHARON, VT

Received for record October 20 2004
 at 11:00 o'clock A M. and recorded in
 Sharon land Records, Vol. 72 Page 125-129
 Attest Joanne M. Slater, TC

ORDER TO RECLASSIFY HIGHWAYS

BAXTER MOUNTAIN ROAD, KARILYN DRIVE, AND BREEZY LANE FROM PRIVATE ROAD STATUS TO CLASS 3 TOWN HIGHWAYS

FINDINGS:

1. Petitioned Request: On August 5, 2003 a valid petition was received by the Sharon Town Clerk which requests the Town take over the Baxter Mountain road network as class 3 town highways pursuant to 19 VSA Sec. 708.
2. Public Hearing and Site Visit: Pursuant to 19 VSA Sec. 709, Selectmen convened a duly-warned public hearing on October 21, 2003, after a site visit that same day. 30 days notice of this hearing was given to abutters, petitioners, Sharon Town Clerk and Sharon Planning Commission. A legal advertisement for this hearing was published in the Valley News on October 5, 2003. The hearing continued to December 2 and 16th, 2003, February 17, March 3 and 16, April 6th, and closed on April 20, 2004. Final correspondence with the Landowner and written comments from Sharon Planning Commission were received and entered into the record on April 20, 2004.
3. Description: Selectmen have found these roads each to be more fully described as 3-rod rights-of-ways as measured and extending 1.5 rods each side of the centerline of the existing traveled way. The following maps describe the location of the roadbed:

Survey Map 27 of Book 5 in Sharon Land Records entitled "Property Subdivision of a Portion of Land of James A. Fisk, Fay Brook Road, Town Highway #17, Sharon, VT, Lot 12 Subdivision" prepared by Lawrence E. Swanson, licensed surveyor, in March-April 1996 and referred to as Project Number 96003,

Survey Map 45 & 46 of Book 5 in Sharon Land Records entitled "Property Subdivision of a Portion of the Land of James A. Fisk, Fay Brook Road, Town Highway #17, Sharon, VT, Baxter Mountain Subdivision Lots, 5,6,7,8,9 and 10" prepared by Lawrence E. Swanson, licensed surveyor, on March 31, 1997 and referred to as Project Number 96003-A, and

Subdivision Plat #17 entitled "Fisk Property Subdivision, Sharon, VT" prepared by Harrington Engineering, Inc. dated November 12, 1993, last revised February 28, 1995.

4. Conformance with Town Highway Standards: Selectmen have determined that Baxter Mountain Road and spur roads Breezy Lane and Karilyn Drive conform to standards for town highways as set forth in the Town of Sharon's Highway Policy, Section 4.2 'Standards for New Construction', with certain exceptions, as noted below:

4.2A. Design: Selectmen have determined, upon inspection, that Baxter Mountain Road, Breezy Lane, and Karilyn Drive have been designed to accommodate maximum average daily travel.

4.2B. Inspection: Selectmen and the Road Foreman conducted a duly warned site visit October 21, 2003. Subsequent inspections were conducted to ascertain guardrail placements. (Minutes of December 2, 16th, 2003; February 17 and March 3, 2004.)

4.2 C. Right-of-Way Width: Selectmen have determined the right-of-ways to Baxter Mountain Road, Breezy Lane, and Karilyn Drive to be 3-rods. (Minutes October 21, 2003); Selectmen have also found that a deck on the Schaffner residence built on Lot 13 protrudes into the right-of-way of Baxter Mountain Road a distance of five (5) feet. (April 20, 2004 via correspondence with Landowner.)

4.2.D. Shoulders: Selectmen have determined that the traveled way to Baxter Mountain Road and Breezy Lane measures 16 to 22 feet in width, averaging 20 feet in width in most places. Therefore shoulders are sufficient. Selectmen have determined that the traveled way for Karilyn Drive only measures 16 feet in width and does not provide any shoulder width. Therefore a waiver request was needed from Mr. Fisk. (Minutes of November 4, 2003.);

4.2. E. Traveled Way Width: The Selectmen have determined the traveled way width of Baxter Mountain Road, Breezy Lane, and Karilyn Drive to be sufficient. (Minutes November 4, 2003.)

4.2.F. Sub-grade and surface preparation: Selectmen have found that sub-grade and surface preparation is very satisfactory and that there is a ten year performance history. (Minutes 10/21/03)

4.2.G. Drainage Ditches: Selectmen have found drainage ditches to be sufficient, except in the vicinity of the turnaround at Karilyn Drive. These ditches have performed well over the 10 years since being installed.

4.2.H. Culverts: The Road Foreman has found the number of culverts installed to be satisfactory. The following culverts were identified as one proceeds up Baxter Mountain Road from Fay Brook Road:

1. 15" plastic
2. 15" plastic
3. 18" metal
4. 15" plastic
5. 18" metal
6. 15" plastic
7. 24" metal

8. 15" plastic

4.2.I. Grades: Selectmen have determined the steepest grade at the entrance to the subdivision to be 12%, more or less, and that there are lesser grades above. Selectmen have found the surface to be sufficient to allow a grade of over 10%. (Testimony from James Fisk on October 21, 2003; Minutes October 21, 2003.)

4.2.J. Alignment & Curves: Selectmen have determined the alignment and curves of Baxter Mountain Road, Breezy Lane, and Karilyn Drive to be sufficient for the passage of emergency and maintenance vehicles.

4.2.L. Turnarounds: Selectmen have determined the turnaround on Breezy Lane to be level and approximately 50 feet wide. By contrast, the turnaround at the end of Karilyn Drive measures only 40' x 30', as determined by the Road Foreman, and it slopes downward. Selectmen have found this turnaround to be insufficient to accommodate the turning movements of emergency and maintenance vehicles. The downward slope poses a safety threat.

4.2.M. Turnoffs: Selectmen have determined there are sufficient turnoffs for safe passing during all seasons.

4.2.N. Curb cuts: Selectmen have determined that all driveway curb cuts have been established and that driveway permits were not issued nor required at the time of installation due to the private status of the road.

4.2.O. Slopes and Banks: Selectmen have determined that steep slopes in excess of 1:3 exist on the upper portions of Karilyn Drive, and that there are no guard rails or posts to keep vehicles from sliding off the road and down hill.

4.2.P. Guard Rails and Posts: Selectmen have determined the existence of approximately 1,000 feet of guard rail along the total length of the first switchback (673 feet more, or less) on Baxter Mountain Road and Breezy Lane. There are no other guard rails or posts.

5. Public Good, Necessity, and Convenience: Selectmen have found 7 year-round dwellings in existence and that school bus access will be needed. The location of the school bus stop will be at the School District's discretion.

The property tax income from all properties being served by the highway was approximately \$23, 206 at the FY04 rate of \$1.81 and \$32,974 at the FY03 rate of \$2.58.

James Fisk testified, on October 21, 2003, that he expends approximately \$2,500/year to maintain the road. Mr. Fisk stated it takes him approximately ½ hour to plow the road.

October 21, 2003 information from VTrans District 4 shows 4th quarter 2003 state aid rates for class 3 roads as \$1,402 per mile.

PROPOSED CONCLUSIONS OF LAW

AND ORDER:

After consideration of the preceding findings the Selectboard concludes that the public good, necessity, convenience, and safety of its residents require that the Town lay out the following roads as Class 3 town highways.

Baxter Mountain Road: being a 3 rod right-of-way which extends 1.5 rods on either side of the centerline as referenced in a survey compiled by Lawrence B. Swanson dated March/April 1996 and filed in Land Record Survey Map Book 5 page 27 as follows: a total distance of approximately 3,140 feet or approximately .594 miles, more or less, from its beginning at the junction with Fay Brook Road at Station A, hence southeasterly a distance of 673 feet, more or less, to the intersection with Breezy Lane; hence turning sharply to the north and traversing a distance of approximately 2,467 feet, more or less, to the intersection with Karilyn Drive at Station NN.

Breezy Lane: being a 3-rod right-of-way which extends 1.5 rods on either side of the centerline as referenced in a survey compiled by Lawrence B. Swanson dated March 31, 1997 and filed in Land Record Survey Map Book 5 page 45 as follows: from its beginning at its intersection with Baxter Mountain Road at .127 miles and for a distance southwards of approximately 320 feet to, and including, the cul-de-sac which marks the terminus of the road.

Karilyn Drive: being a 3-rod right-of-way which extends 1.5 rods on either side of the centerline as referenced in a survey compiled by Lawrence B. Swanson dated March 31, 1997 and filed in Land Record Survey Map Book 5 page 46 as follows: from its beginning at the intersection with Baxter Mountain Road at Station NN at approximately .511 miles and continuing for a distance northeasterly of 770 feet, more or less, to Station 1095 and including the turn-around which marks the terminus of the road.

Acceptance of these private roads as Class 3 town highways is subject to the specific conditions and waivers listed below:

1. Waivers From Highway Policy Granted or Denied:

Section 4.2(C) "Right-of-Way Width": Landowner James Fisk filed with the Selectboard a 'waiver' request from the 3-rod right-of-way requirement for Baxter Mountain Road in the vicinity of the Schaffner dwelling. This was done to recognize the existence of the deck's five-foot extension into the 3-rod right-of-way. Counsel advised, and the Selectboard has agreed, to

deny said waiver based on the grounds that the waiver is not needed. The Town will lay out Baxter Mountain Road with a uniform 3-rod right-of-way as noted above in these Conclusions and Order.

Section 4.2 (D) "Shoulders": The Selectboard grants a formal waiver for Karilyn Drive from the requirements of two foot shoulders.

Section 4.2 (P) Guard Rails and Posts: Mr. Fisk's request for a waiver from additional installations of guard rails and posts is denied. Mr. Fisk's request for fill from the Town is denied.

2. Required Improvements: Pursuant to Section 5.1 "General Procedures" for highway acceptance in the Highway Policy,
 - A. Landowner(s) must enlarge, at their expense, the turnaround at the end of Karilyn Drive to accommodate turning movements for large vehicles, including highway maintenance vehicles and fire and rescue vehicles. Such improvement shall include modifying existing grades to prevent vehicles from sliding away from Karilyn Drive in winter conditions.
 - B. Landowner(s) must improve, at their expense, the ditch on the eastern side of Karilyn Drive in the vicinity of the turnaround, to achieve positive drainage.
 - C. Landowner(s) must install, at their expense, approximately 450 feet of band rail (new or used) and 200 feet of marker posts on Baxter Mountain Road as it traverses along lands of Fisk, Donahue, and Lot 5 (now owned by Benson) and terminating at the intersection of Baxter Mountain Drive and Karilyn Drive. Said guard rail locations shall be staked by the Road Foreman prior to installation.
3. Final Inspection: If landowner(s) desire the Town to take over these roads by November 1, 2004, the Selectboard must be able to conduct a final inspection of completed improvements prior to the regular Selectmen's Meeting on October 19, 2004. If the final inspection of completed improvements occurs after November 1, 2004, the Town shall not accept these roads as town highways until June 1, 2005 in conformance with the Town's Highway Policy.
4. Filing of Deed(s): Pursuant to Section 5.4 of the Highway Policy final deed(s) and survey must be recorded by Sharon Town Clerk prior to highway acceptance. Landowner(s) are encouraged to submit the deed to the Selectboard for signature at a regularly scheduled meeting at least two weeks prior to November 1, 2004 or June 1, 2005 depending upon which date the Town is to take over the roads.
5. Completion and Acceptance of Town Highways: The Selectboard shall file with Sharon Town Clerk a Certificate of Opening and Completion of Highways which will declare Baxter Mountain Road, Karilyn Drive, and Wendy Lane open for travel as public highways on a

certain date.

SHARON BOARD OF SELECTMEN

Bob Ferguson DATED: MAY 4, 2004
Bob Ferguson, Chairman

Bill Kitchel
Bill Kitchel, Vice Chair

Kevin Blakeman
Kevin Blakeman, Clerk

APPEAL RIGHTS: An interested person may appeal this decision within 30 days of the date of this decision to the superior court of Windsor County, pursuant to 19 V.S.A. Sec. 740, if the challenge is to the laying out of highways, and to the district court, pursuant to 19 V.S.A. Sec. 726, if the challenge is to a damage award for the laying out.

Recorded on _____, 2004 in Town of Sharon Land Records in Book No. _____
Pages _____ to _____.

Sharon Town Clerk

TOWN OF SHARON, VT
Received for record May 17 2004
at 2:20 o'clock P M. and recorded in
Sharon land Records, Vol. 70 Page 455-460
Attest: Jeanne M. Slater, T.C.

**Town of Sharon
Selectmen's Minutes
SPECIAL MEETING
October 26, 2004**

Attendance: Selectmen: Bob Ferguson, Chair; Bill Kitchel, Vice Chair; Kevin Blakeman, Clerk; **Town Officials:** Margaret Raymond, Treasurer; **Staff:** Margy Becker, Selectmen's Assistant; **Residents:** Don & Sandi Dietrich, **Visitors:** Katrina Clark, Ilderdon Mayer, Esq., Marlayna Darling (via teleconference), Judy Lewis, VTrans Right-of Way Division.

Bob Ferguson convened the special Selectmen's meeting at 6:10PM.

Dog Bite Hearing: Dietrich/Darling Cont'.

Attending: Don and Sandi Dietrich; Katrina Clark; Ilderdon Mayer, Esq., Marlayna Darling, Bob Ferguson, Kevin Blakeman, Bill Kitchel, Margy Becker

Bob Ferguson re-convened the public hearing that had been recessed from October 19, 2004. He announced the Town's attorney recommended the Selectboard continue to proceed with the public hearing.

Marlayna Darling joined the hearing via teleconference at 6:12PM.

A notarized statement from Deborah Darling was submitted and accepted for the record. Bob Ferguson stated the Selectboard will make a finding as to the weight granted to evidence submitted that was not direct testimony and which had no opportunity to be cross-examined.

Marlayna requested the Selectboard a day-time hearing to accommodate her witnesses that work at night. The Selectboard denied her request. Bob Ferguson said the date and time for the hearing continuance had been agreed to by all parties. Marlayna Darling consented.

Ilderdon Mayer, Esq. submitted a letter from Courtney Clark (11 years old). Mr. Mayer also submitted the Dietrich's factual summary, which they had compiled prior to the first hearing. Mr. Mayer re-emphasized that Roland Potter, Pound Keeper, does not know Buster to-date, and the Dietrich's neighbor vouches that Buster is always on the property. The Dietrichs do not have children. Buster is their "child." Mr. Mayer recited the facts again. Don Dietrich was watching a football game, when Hayden entered the room with his father. Hayden bent down. The dog bit Hayden.

Mr. Mayer said that when Mr. Potter visited with the Dietrichs, he was shown that other types of bones could be taken away from Buster without any problems.

Mr. Mayer stated 24 V.S.A. Sec. 3546 controls in this case. While the Dietrichs had rented their mote rooms, they had a "lease hold" premise for the week. The Town's jurisdiction over the case is questionable. The incident unquestionably happened "on premises". "Was there provocation?" he asked. The veterinarian with whom Mr. Mayer has spoken says yes, that approaching a dog with a bone is provocation. Mr. Mayer stated that Buster, however, would not know what it means to be provoked vs. unprovoked. His concluding statement was that the Selectboard cannot come to any remedy, and his clients would be less likely to appeal the Board's decision if it were a muzzle order.

Marlayna Darling said the dog is a potential threat to the community. The dog was in full attack mode when it bit Hayden. She urged the Selectboard to "do the right thing on behalf of public safety." The Dietrichs knew this dog could potentially be a threat. She asked the Selectboard to consider her child's face and what could have happened.

Mr. Mayer stated objection to the statements regarding a history.

Marlayna Darling thanked the Selectboard for their time.

Don Dietrich exclaimed this is a family issue, but there has been no communication, except a message from Ken Darling on his answering machine at home 12 hours later (after the incident) that he wanted the dog put down. The Dietrichs explained they could not go to the hospital, because they had to remain behind to meet with the York, Maine dog warden to document that Buster had had his shots. When Ken's sister came back, she said not to go to the hospital, because there was nothing they could do. Don Dietrich stated that as soon as they returned to Vermont he phoned his veterinarian and followed the recommendation to quarantine Buster for 10 days.

Sandi Dietrich said she questions why Marlayna Darling thinks the Dietrichs knew Buster and the bone would be a problem. Marlayna Darling stated "because you said so". Sandi Dietrich objected to this remark.

Marlayna Darling requested copies of the minutes. She was informed that the tapes from the meeting are available to copy.

Bob Ferguson made the MOTION to adjourn the public hearing at 6:40PM. Bill Kitchel seconded. The MOTION carried.

Sharon Academy Access Road: Bob Ferguson made the MOTION to accept the deed, partial mortgage release, property tax transfer return, and a copy of the survey from the Sharon Academy for the access road AND to declare the Sharon Academy access road open for public travel as of November 1, 2004, CONTINGENT on the filing of the final mylar by November 1, 2004. Kevin Blakeman seconded. The MOTION carried. The Selectmen agreed to sign the certificate of completion that is to be recorded.

Rte. 132 Project: Selectmen met with Judy Lewis of the VTrans informally to discuss the process of securing the right-of-way. Bob Ferguson made the MOTION at 7:00PM to enter **Executive Session**, with the Selectmen's Assistant, to discuss a real estate transaction. Bill Kitchel seconded. The MOTION carried 3-0 in favor. The Selectboard exited Executive Session at 7:25PM and no formal action was taken.

Emergency roof repairs – Old School House: Selectmen reviewed an estimate for emergency roof repairs from Brian Cain. Bob Ferguson made the MOTION to accept Brian Cain's estimate of \$7,560 for roof repairs to the Old School House, CONTINGENT on

- 1) confirmation of the inclusion and cost of the PVC membrane,
- 2) confirmation of the cost of the electrical work,
- 3) and, that the total estimate for all work shall not exceed \$9,000.

Bill Kitchel seconded. The MOTION carried 3-0. Kevin Blakeman will follow-up with Mr. Cain. Confirmation of the Selectboard's acceptance of Mr. Cain's estimate will be via letter.

Executive Session: Bob Ferguson made the MOTION to enter into Executive Session at 8:00PM, with the Selectmen's Assistant, to deliberate on the Dietrich/Darling dog matter, over which the Board is presiding in its quasi-judicial capacity. Kevin Blakeman seconded. The MOTION carried. The Board exited Executive Session at 8:15PM. No formal action was taken.

Bob Ferguson made the MOTION to adjourn at 8:15PM. The MOTION was seconded by Kevin Blakeman and carried unanimously.

Bob Ferguson Bob Ferguson, Chair

Bill Kitchel Bill Kitchel, Vice Chair

Kevin Blakeman Kevin Blakeman, Clerk

**Town of Sharon
Selectmen's Minutes
Tuesday, October 19, 2004
Regular Meeting**

Attendance: **Selectmen:** Bob Ferguson, Chair; Bill Kitchel, Vice Chair, Kevin Blakeman, Clerk; **Staff:** Margy Becker, Selectmen's Assistant; **Town Officials:** Margaret Raymond, Treasurer; Roland Potter, Poundkeeper and 2nd Constable; **Residents:**, Don and Sandi Dietrich, Brian Cain; **Visitors:** Marlayna and Ken Darling, Ilerdon S. Mayer, Esq., Katrina Clark, Judy Lewis, VTrans ROW Division.

The Chair convened the meeting at 7:00PM;

Minutes: Bob Ferguson made the MOTION to approve the minutes of October 5, 2004. Bill Kitchel seconded. The MOTION carried.

Grand List Changes: none to report.

Public Comments: Brian Cain met with Selectmen to discuss proposed repairs to the Old School House roof. Selectmen asked Mr. Cain to report back to the Board with an estimate to 1) repair or install soffit vents, 2) remove ducting, 3) install a roof portal, 4) repair roof leak, 5) install lights in attic. Mr. Cain agreed that he would provide an estimate within the next few days.

Town Highway 3: Alteration of ROW: Bob Ferguson reconvened the July 20th, 2004 public hearing, as formally recessed that same day, to hear testimony from Judy Lewis of the VTrans Right-of-Way Division. Ms. Lewis provided a progress report on the Agency's process of declaring certain parcels (as described in the 1975 Relinquishment No. I) as surplus property. The Pettengills, Wallaces, and Holmes will proceed with subdividing the land. The public hearing is October 26, 2004. Judy Lewis explained that the process of signing deeds and arranging for payment for surplus parcels will take time. Accordingly, Bob Ferguson declared the public hearing RECESSED until January 18, 2005 and 7:30PM.

Town Plan Public Hearing: Selectmen began planning for facilitation of an upcoming public hearing on the proposed Sharon Town Plan, which is scheduled for 7:00PM on November 16, 2004. Selectmen agreed to prepare a 3 – 4 page handout summarizing proposed changes to the Plan. It was noted by Dee Wroth that the Planning Commission newsletter had been mailed, which also summarizes proposed changes to the Plan.

Planning Commission Vacancies: Bob Ferguson and Dee Wroth confirmed there are two vacancies on the Planning Commission that should be advertised. An interview of a candidate is scheduled for November 9th; a second interview with another candidate has been scheduled for November 16th.

Driveway Permits: Selectmen reviewed and discussed driveway permit applications from Calvin Keyler (for a curb cut on Rte. 132) and Floyd and Nancy Brown (for a curb cut onto River Road at Commerce Park). Bob Ferguson made the MOTION to approve the driveway permit application of Calvin Keyler for a curb cut onto Rte. 132, and Floyd and Nancy Brown for a curb cut onto River Road CONTINGENT upon a final inspection by Selectmen Kitchel and his confirmation that proposed curb cut locations and improvements are satisfactory. Kevin Blakeman seconded. The MOTION carried unanimously.

Public Hearing: Dog Bite: RE: "Buster" owned by Don and Sandi Dietrich, Horse Farm Road, Sharon.

Bob Ferguson opened the public hearing regarding a dog bite incident at 8:15PM as noticed to the parties. The hearing was held pursuant to 20 V.S.A. Sec. 3546, which directs the Selectboard to hold a public hearing on a written complaint within 7 days.

Selectmen heard testimonies from Roland Potter, Poundkeeper and 2nd Constable, Ken and Marlayna Darling as filers of the complaint and parents of the child who was bitten (Hayden), owners of "Buster" Don and Sandi Dietrich, Katrina Clark (occasional care-taker of Buster), and Mr. Ilerdon S. Mayer, Esq., attorney for the Dietrichs.

Bob Ferguson asked Roland Potter to summarize his investigations to-date. Mr. Potter stated he ha interviewed the Dietrichs, owners of Buster, about a dog bite incident which had taken place in York, Maine in a motel. The dog had a rawhide bone that it was chewing, when Ken Darling and his son, Hayden, came into the room. The boy leaned down towards the dog, and the dog bit him in the face, which resulted in the need for medical attention and stitches. Mr. Potter said he contacted two veterinarians in Woodstock, but they could not provide him any information on the dog, because the vets did not know Buster. They had known the Dietrich's previous dogs. Mr. Potter said he had talked with the Darlings by phone. He met Mr. Darling in person when Mr. Darling had delivered the official reports from Maine.

The Darlings provided their testimony. Ken Darling and Hayden had stopped at the motel to say goodbye before returning to Vermont. Don Dietrich and Ken's sister, Debbie, were in the motel room with Buster. Buster had a bone. Hayden leaned down (perhaps to say goodbye to Buster or to kiss him goodbye) and Buster bit his face. Immediately afterward Don Dietrich exclaimed "These goddamn rawhide bones!" and he picked up the bone and threw it in the trash. 911 was called; the paramedics arrived and they drove Hayden to the hospital in Portsmouth to a plastic surgeon. 30 stitches were needed in the face. A deep puncture wound to the septum occurred. There are also claw marks on the boy's arm, which shows the dog was in attack mode. Hayden has said Buster shook his head.

Marlayna Darling requested the Town take preventive measures, so that this never happens again. She has since taken Hayden to surgeons at Dartmouth Hitchcock Medical

Center, who say there is no way to correct damage to Hayden's lip. Hayden will undergo another operation.

Hayden is now showing signs of trauma whenever he is around dogs. Buster is part pit bull. Ken Darling said Hayden had seen Buster the day before and there had been no problem. So Buster was familiar with him.

The Dietrichs testified to similar facts. Buster had been given the rawhide bone as a treat, because he had been so good during the week. Buster was lying on the floor in front of Don Dietrich. Don and Sandi Dietrich said they were devastated by the incident. Don Dietrich said after the incident he did grab the bone and threw it away.

Bob Ferguson gave the parties a chance to ask questions of each other. Marlayna Darling asked what Don Dietrich had meant when he had said "We didn't know anyone was coming, when we gave him the bone." Don Dietrich responded that they knew Buster loves his rawhide bones.

Bill Kitchel asked Don Dietrich if he would have handled Buster differently, if kids were present. Don Dietrich said no, because there had never been a problem with kids before. Bill Kitchel inquired whether Buster is part pit bull. Don Dietrich confirmed Buster is part bit bull and black lab, and possibly part greyhound.

Ken Blakeman inquired whether Buster was aggressive. Don and Sandi Dietrich responded that the bone was his treat, his food.

Ken Darling said everyone was shocked.

Mr. Mayer, the Dietrich's attorney, then said the facts are not that much in dispute. But unfortunately, he said, the remedy for the matter was not to be from the legislative body, because the statute states the dog has to be "off the premise of the owner". Mr. Mayer argued that the incident, by virtue of the fact that it took place in a motel room rented by the Dietrichs, was actually an "on premises incident".

Bob Ferguson stated the Selectboard would again consult the Town attorney. Someone has to have jurisdiction over the case, he said.

Mr. Mayer submitted letters for the record from people who knew Buster, as well as evidence that the Dietrichs had rented the motel room.

Bill Kitchel inquired with the Darlings as to whether or not the only solution they were seeking was to have the dog put down. The Darlings responded yes.

Mr. Mayer asked Mr. Potter when he had seen Buster. Mr. Potter replied he had seen Buster when he visited with Mr. Dietrich. Mr. Potter stated he did not know the dog from before.

Ken Darling stated he would like to bring in his sister as a witness. The procedures for continuing the hearing were discussed.

After the conclusion of testimonies, Bob Ferguson RECESSED the public hearing until October 26, 2004 at 6:00PM with the agreement of the parties. This action was taken to 1) enable Mr. Darling to provide the testimony of his sister, should jurisdiction continue to rest with the Selectboard, and 2) to enable the Selectmen to inquire with the Town attorney as to whether the Selectboard has jurisdiction over the case.

Executive Session: Bob Ferguson then made the MOTION to enter Executive Session at 9:15PM with the Poundkeeper and Selectmen's Assistant to further deliberate. The MOTION was seconded by Bill Kitchel and carried unanimously. The Board exited Executive Session at 9:25PM. No further formal actions were taken.

Old School House Water System: Kevin Blakeman reported on the results of the storage tank leak test, which is still in progress. The tank was filled with approximately 7,000 gallons on October 5, 2004. The tank leaked several inches per day for the first few days; it is leaking now on the average of a little less than an inch per day. The water level on October 19th was 11 inches below the top of the tank, which is the level the tank was filled to. Don Marsh, P.E. has recommended the leak test continue. Selectmen agreed to provide more regular status reports on the water system to the School Board.

Rte. 132 Project: Selectmen discussed how to assist landowners in completing the right-of-way documents. The Board agreed individual members would sign the property transfer tax returns on behalf of the Town. Bob Ferguson made the MOTION to that affect as follows: "to authorize any single Selectboard member, as a representative of the entire Selectboard, to sign the property transfer tax returns that accompany Rte. 132 right-of-way easements". Kevin Blakeman seconded. The MOTION carried.

It was agreed that abutters will be notified as to when crushing operations will begin.

Baxter Library Well: Selectmen agreed to request Patricia Beavers to shock the Baxter Library well and to resample for coliform.

Reginald Lee Blair Memorial Fund: (check full title) Selectmen agreed to inquire with the Town's independent auditors as to whether the fund can be taken on by the Town under the oversight of the Trustees for Public Funds. Doing so may offer some tax benefits to the Fund.

Sharon Academy Access Road: Selectmen signed the Order to Accept Sharon Academy access road as a class 3 town highway. The order had been approved in the Selectmen's October 5th meeting. The Sharon Academy will need to submit to the Selectboard a statement regarding compliance with its Act 250 permit, a signed deed and survey before the Selectmen can sign the certificate to accept the road and open it for public travel.

Baxter Mountain Roads: Bob Ferguson made the MOTION to accept Baxter Mountain Road, Breezy Lane, Karilyn Drive as Class 3 town highways to be open for travel by the public as of November 1, 2004, contingent on Jim Fisk signing the deed by November 1, 2004. Kevin Blakeman seconded. The MOTION carried 3-0. Selectmen will sign the Certificate of Acceptance and Completion.

Warrants: Selectmen signed warrants.

Bob Ferguson made the MOTION to adjourn at 10:10PM. Bill Kitchel seconded. The MOTION carried.

Bob Ferguson

Bob Ferguson, Chair

Bill Kitchel

Bill Kitchel, Vice Chair

Kevin Blakeman

Kevin Blakeman, Clerk

Moulton, Sara

From: Moulton, Sara
Sent: Tuesday, November 22, 2005 7:59 AM
To: 'town.of.sharon@valley.net'
Subject: Attn: Margy Becker

This is to confirm that I received your telephone call yesterday about the letter I sent Nov. 14 about two mileage changes affecting Breezy Lane and Karilyn Drive. You wanted to double-check if there was anything you needed to do in response. Since you approved the changes I documented in the letter you don't need to do anything else except to file the letter in case there is a question about why the mileage amounts changed.

Sara Moulton
Mapping & GIS Specialist
Policy & Planning Division - Mapping Unit
Agency of Transportation
Tel: 802-828-2109



State of Vermont
 Agency of Transportation
 National Life Building
 Drawer 33
 Montpelier, VT
 05633-5001

VTTrans *Working to Get You There*

Town Clerk
 Town of Sharon
 PO Box 250
 Sharon, VT 05065

November 14, 2005

Dear Town Clerk:

In trying to map the changes prompted by the 2005 Certificate of Highway Mileage we came across two discrepancies between the mileages submitted on the certificate and the actual field-checked mileages. Specifically, the discrepancies are associated with TH-64 Breezy Lane and TH-65 Karilyn Drive.

In reviewing the documentation included with the Certificate, it appears there might have been a clerical error in transferring the mileages from the "Order to Reclassify Highways" to the Certificate cover letter. The mileage from the Order corresponds to our field-checked mileage.

Town Highway Name and Number	Certificate Mileage	Mileage from "Order to Reclassify Highways"	Corrected Mileage
TH-64 Breezy Lane	0.13	0.06	0.06
TH-65 Karilyn Dr	0.51	0.15	0.15

We will be performing an error correction of the mileage listed on the 2005 Certificate. The corrected mileages will be reflected in the 2005 General Highway Map and the 2006 Certificate of Highway Mileage.

Please let me know if you have any questions.

Sincerely,

Sara Moulton
 Mapping & GIS Specialist
 Policy and Planning Division - Mapping Unit
 Agency of Transportation
 sara.moulton@state.vt.us
 Tel: 802-828-2109

www.aot.state.vt.us
 Telecommunications Relay Service 1-800-253-0191

Vermont is an Equal Opportunity Employer

CERTIFICATE OF HIGHWAY MILEAGE

YEAR ENDING FEBRUARY 10, 2005

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2005 to: VT Agency of Transportation, Program Development Division, Drawer 33, Montpelier, VT 05633.

We, the Selectmen or Aldermen or Trustees of SHARON in 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:

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 1 Lane	0.000				
Class 2	14.520	1.01		32.775	0.000
Class 3	31.770	1.44		33.21	0.000
State Highway	16.167				0.000
* Class 4	6.620			63.467	0.000
Total	62.457			63.897	0.000

* Class 1 Lane Mileage and Class 4 is NOT included in total. Total by S. Moulton 3/31/05

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".

see attached documents

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. []

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

Robert Ferguson
Bill [unclear]
Kevin Blakeman

Clerk Signature:

Joanne M. Slater

Date Filed:

2/8/05

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL

Signed copy will be returned to T/C/V Clerk.

APPROVED:

Michael [unclear]

DATE:

May 20, 2005

Representative, Agency of Transportation

TOWN OF SHARON
P.O. BOX 250
SHARON, VT 05065

February 2, 2005

Ms. Sara Moulton
Mapping & GIS Unit
VT Agency of Transportation
National Life Building, Drawer 33
Montpelier, VT 05633-5001

Dear Ms. Moulton:

Enclosed please find our certificate of highway mileage which has been revised to show that the Town has accepted new class 3 town highways – Baxter Mountain Road, Breezy Lane, and Karilyn Drive (all in one subdivision off TH17) and Sharon Academy Access Road (off TH60 off Rte. 14 N.). The breakdown of mileage is as follows:

- TH-63
1. Baxter Mountain Road: from its intersection with TH17 to its jct. with Karilyn Drive: approximately ~~594~~ miles (see attached Order).
- TH-64
2. Breezy Lane: from its intersection with Baxter Mountain Road to its terminus at the turnaround: approximately ^{0.59} ~~127~~ miles.
- TH-65
3. Karilyn Drive: from its intersection with Baxter Mountain Road to the turnaround and terminus of the road: approximately ^{0.13} ~~511~~ miles. *Error correction: 0.06 miles*
- TH-66
4. Sharon Academy Access Rd: Sharon Academy Rd. leaves TH60 (off Rte. 14 North) prior to the Town Garage and travels southeasterly and up a steep grade for a distance of approximately 1,100 feet or approximately ^{0.51} ~~208~~ miles. *Error correction: 0.15 miles*

Please note these were all private roads. Thus we do not have any highway numbers assigned to them. Please advise as to their highway numbers when you have assigned them. Thank you.

We have enclosed copies of the Selectboard minutes, and the Order and Certificates of Acceptance for these roads as recorded by Sharon Town Clerk.

Sincerely,

Margy Becker

Margy Becker
Selectmen's Assistant

Cc: file
Selectmen

Rounding and TH #s by S. Moulton 3/25/05
Error correction by S. Moulton 11/14/05

October 21, 2003 information from VTrans District 4 shows 4th quarter 2003 state aid rates for class 3 roads as \$1,402 per mile.

PROPOSED CONCLUSIONS OF LAW

AND ORDER:

After consideration of the preceding findings the Selectboard concludes that the public good, necessity, convenience, and safety of its residents require that the Town lay out the following roads as Class 3 town highways.

Baxter Mountain Road: being a 3 rod right-of-way which extends 1.5 rods on either side of the centerline as referenced in a survey compiled by Lawrence B. Swanson dated March/April 1996 and filed in Land Record Survey Map Book 5 page 27 as follows: a total distance of approximately 3,140 feet or approximately .594 miles, more or less, from its beginning at the junction with Fay Brook Road at Station A, hence southeasterly a distance of 673 feet, more or less, to the intersection with Breezy Lane; hence turning sharply to the north and traversing a distance of approximately 2,467 feet, more or less, to the intersection with Karilyn Drive at Station NN.

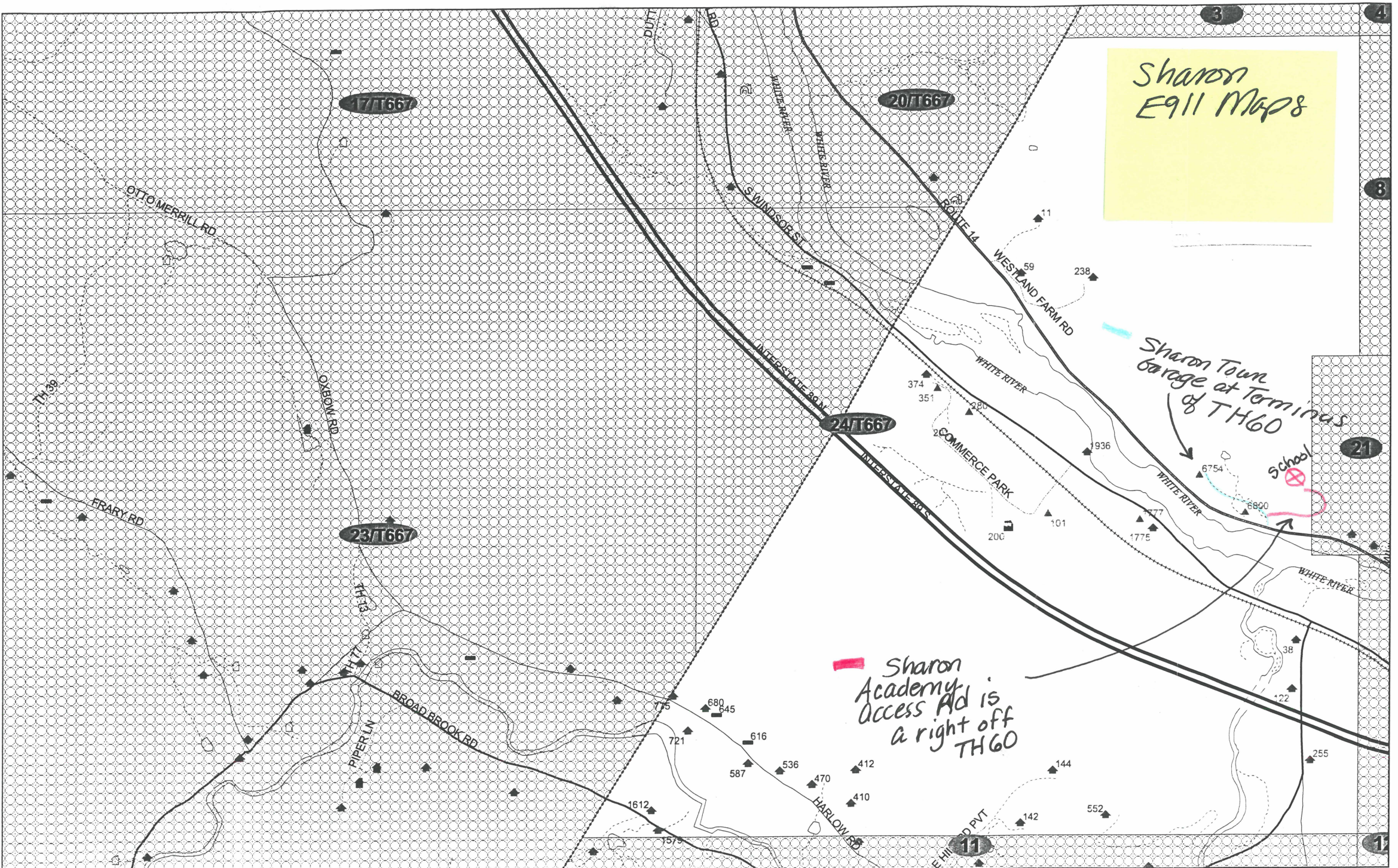
Breezy Lane: being a 3-rod right-of-way which extends 1.5 rods on either side of the centerline as referenced in a survey compiled by Lawrence B. Swanson dated March 31, 1997 and filed in Land Record Survey Map Book 5 page 45 as follows: from its beginning at its intersection with Baxter Mountain Road at .127 miles and for a distance southwards of approximately 320 feet to, and including, the cul-de-sac which marks the terminus of the road. ↳ 0.06 miles

Karilyn Drive: being a 3-rod right-of-way which extends 1.5 rods on either side of the centerline as referenced in a survey compiled by Lawrence B. Swanson dated March 31, 1997 and filed in Land Record Survey Map Book 5 page 46 as follows: from its beginning at the intersection with Baxter Mountain Road at Station NN at approximately .511 miles and continuing for a distance northeasterly of 770 feet, more or less, to Station 1095 and including the turn-around which marks the terminus of the road. ↳ 0.15 miles

Acceptance of these private roads as Class 3 town highways is subject to the specific conditions and waivers listed below:

1. Waivers From Highway Policy Granted or Denied:

Section 4.2(C) "Right-of-Way Width": Landowner James Fisk filed with the Selectboard a 'waiver' request from the 3-rod right-of-way requirement for Baxter Mountain Road in the vicinity of the Schaffner dwelling. This was done to recognize the existence of the deck's five-foot extension into the 3-rod right-of-way. Counsel advised, and the Selectboard has agreed, to

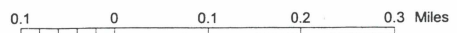


Sharon
E911 Maps

Sharon Town
Garage at Terminus
of TH60

Sharon
Academy
Access Rd is
a right off
TH60

- | | | | | | | | |
|--|--------------|--|---------------|--|--------------------|--|------------|
| | Driveways | | Class 3 | | Sites | | Camp |
| | Other Sheets | | Class 4 | | Single Family Home | | Commercial |
| | Roads | | Private Road | | Multi-family Home | | Farm |
| | Class 2 | | State Highway | | Mobile Home | | Industrial |

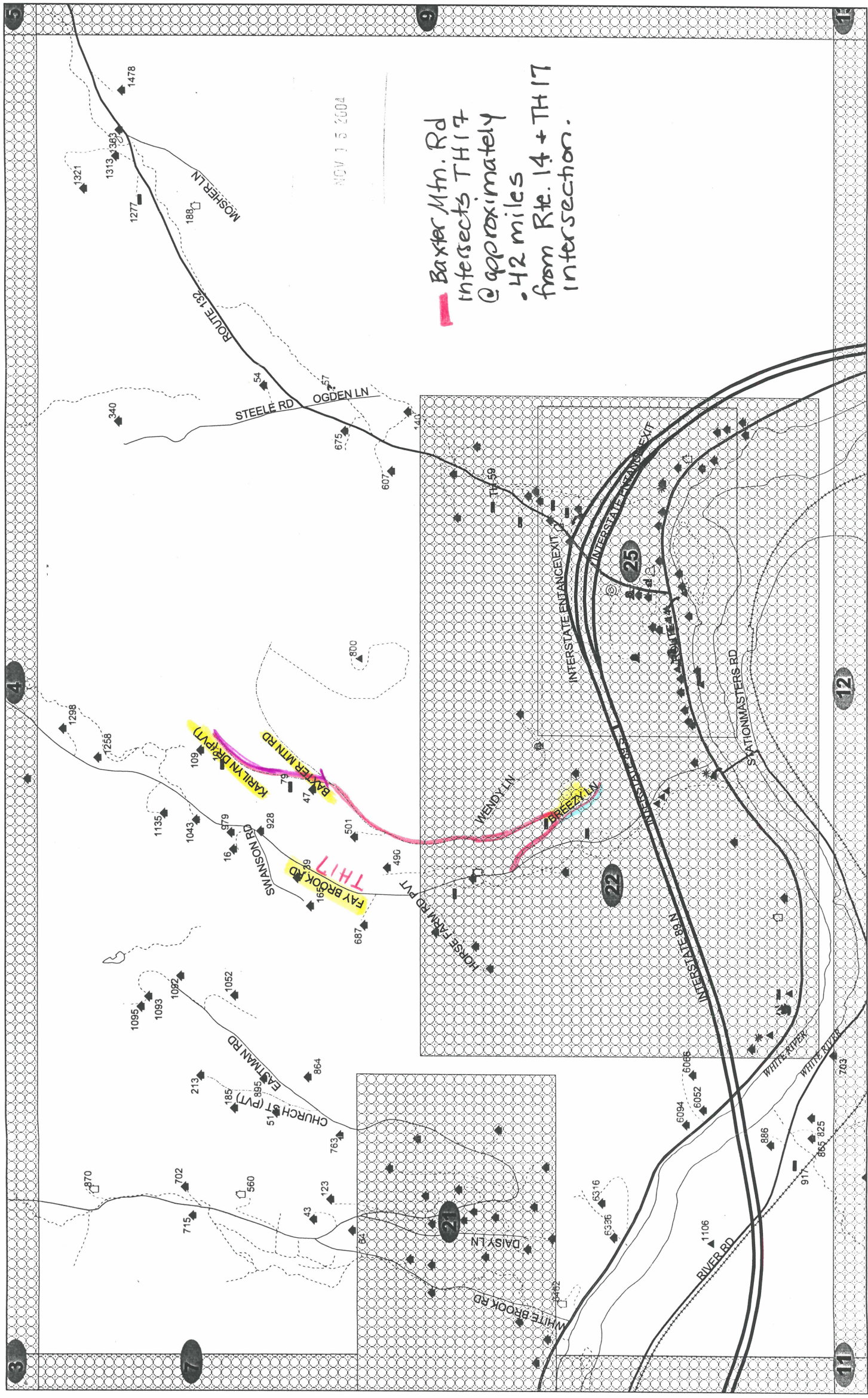


Scale 1: 10000



SHARON

Sheet 7
Jul 19, 2004



Baxter Mtn. Rd
intersects TH17
@ approximately
.42 miles
from Rt. 14 + TH17
intersection.

Scale 1: 10000

Legend

Driveways	Government	Fire	Other
Other Sheets	Church	Gathering	Unknown
Roads	School	Public Telephone	
Class 2	Cultural	Hydrant	
Class 3	Camp		
Class 4	Commercial		
Private Road	Lodging		
State Highway	Commercial Other		
	Single Family Home		
	Mobile Home		
	Other Residential		
	Sites		
	Arrow		
	House		
	Building		