

3/3/2025

VTrans Mapping Section

District 2, 4
 Certcode 1420-0

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2025

Fill out form, make and file a copy with the Town Clerk, and submit the Mileage Certificate on or before February 20, 2024 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section via email to: aot.mileagecertificates@vermont.gov or if necessary via mail to: VTrans PPAID - Mapping Section, 219 North Main Street, Barre VT 05641.

We, the members of the legislative body of WEATHERSFIELD 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 | 0.000 |
| Class 2 | 14.180 | | | 14.180 | 0.000 |
| Class 3 | 55.52 | 0.16 0.49 | | 55.68 56.01 | 0.000 |
| State Highway | 31.046 | | | 31.046 | 0.000 |
| Total | 100.746 | | | 100.746.16 101.236 | 0.000 |
| * Class 1 Lane | 0.000 | | | 0.000 | |
| * Class 4 | 11.98 | 1.3 0.05 | -0.45 | 13.28 11.58 | 0.000 |
| * Legal Trail | 2.87 | | | 2.87 | |

* Mileage for Class 1 Lane, Class 4, and Legal Trail 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".

Mileages updated and
 descriptions entered
 by P. DeAndrea,
 VTrans, 4/2/2025
 based on email
 communication
 4/2/2025

2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting)

3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).

-0.66 mi CL4 TH-113 (Road J West) inadvertently mapped in wrong location in 2010, should have been the extension of TH-66 (Old Bow Rd); +0.49 mi CL3 TH-66 (Old Bow Rd) added to correct location and reclassified from CL4; +0.21 mi CL4 TH-66 (Old Bow Rd) added to correct location; +0.05 mi CL4 TH-114 (Road J East) remeasured)

4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES RECORDED THIS YEAR: Place an X in the box and sign below. ☐

PART III - SIGNATURES - PLEASE SIGN.

Signatures of Selectmen/ Aldermen/ Trustees:

Signature of T/C/V Clerk:

Date Filed:

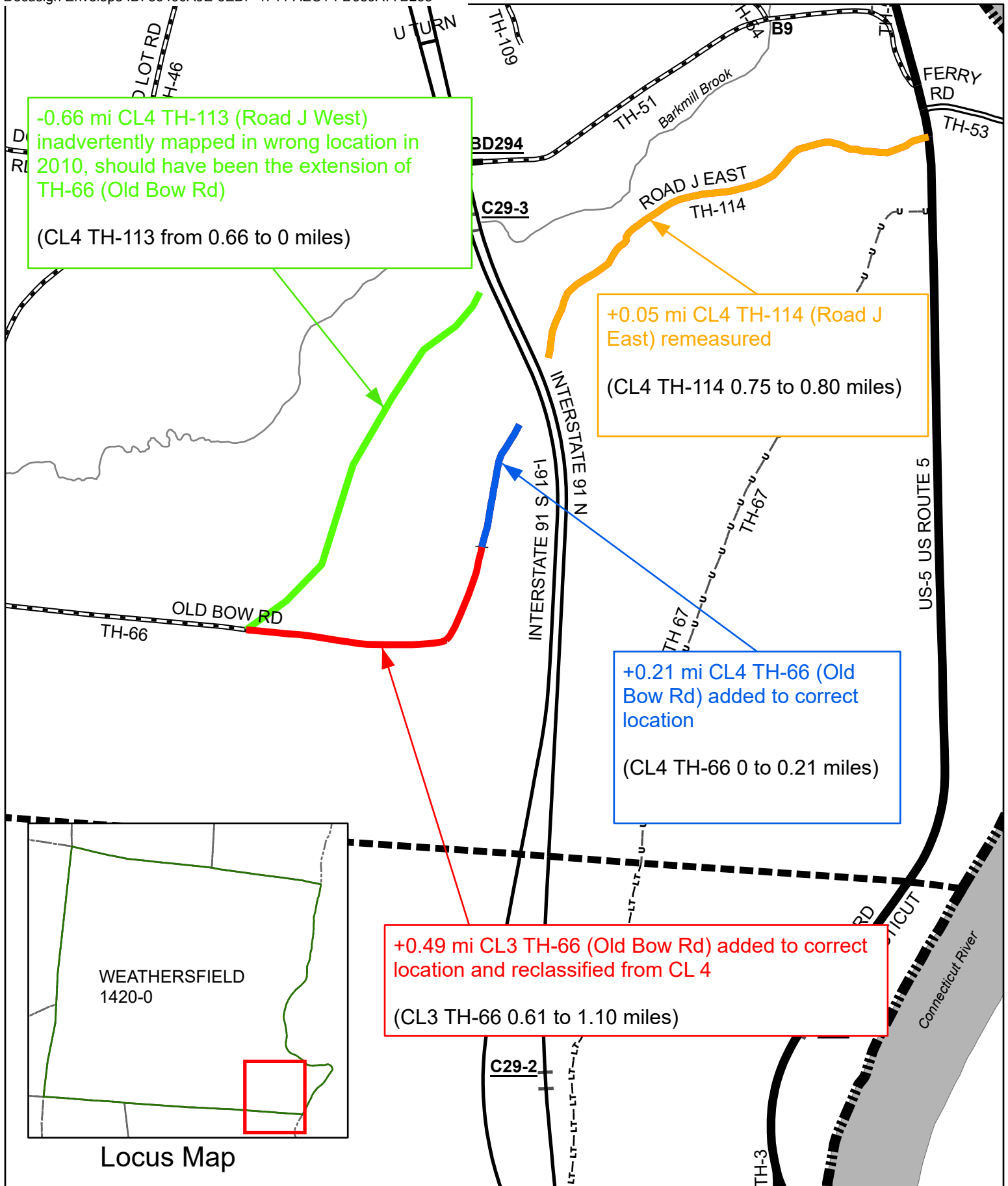
Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

Johnathan Croft
 Representative, Agency of Transportation

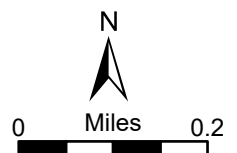
DATE: 4/2/2025



Mileage Certificate Changes 2025 WEATHERSFIELD TH-66 AND TH-114

Mapping Section
Division of Policy and Planning
Vermont Agency of Transportation -- April 2, 2025

(CTUA:1420-0)
(CERTCODE:1420-0)



From: [DeAndrea, Pam](#)
To: [Land Use](#)
Cc: [Brandon Gulnick](#); [Peter G. Raymond](#); [Ray Stapleton](#)
Subject: RE: 2025 Mileage Certificate questions
Date: Wednesday, April 2, 2025 12:44:00 PM
Attachments: [image002.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image008.png](#)
[image009.png](#)

Great thank you so much Ryan,

I will add the change for TH-114 (Road J East) and will show the following mileage changes and descriptions on the certificate. I updated the descriptions to be clearer on what the change entailed.

-0.66 mi CL4 TH-113 (Road J West) inadvertently mapped in wrong location in 2010, should have been the extension of TH-66 (Old Bow Rd)
+0.49 mi CL3 TH-66 (Old Bow Rd) added to correct location and reclassified from CL4
+0.21 mi CL4 TH-66 (Old Bow Rd) added to correct location
+0.05 mi CL4 TH-114 (Road J East) remeasured

Best,

Pam

Pamela DeAndrea (she/her) | AOT GIS Professional III
Policy, Planning & Research Bureau / Mapping Section
Policy, Planning & Intermodal Development Division
Vermont Agency of Transportation
219 N. Main Street | Barre, VT 05641
802-793-7555 phone | pam.deandrea@vermont.gov
<http://vtrans.vermont.gov>



From: Land Use <Landuse@weathersfield.org>
Sent: Wednesday, April 2, 2025 12:15 PM
To: DeAndrea, Pam <Pam.DeAndrea@vermont.gov>
Cc: Brandon Gulnick <Townmanager@weathersfield.org>; Peter G. Raymond <praymond@sheeheyvt.com>; Ray Stapleton <Highway@weathersfield.org>
Subject: Fw: 2025 Mileage Certificate questions

You don't often get email from landuse@weathersfield.org. [Learn why this is important](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Pam,

With regard to the information you provided below, I am Acting Town Manager while Brandon is away. We have reviewed your proposed changes and are in agreement.

Please move forward with the changes as your propose, including the +0.05 mi for Road J East.

+0.49 mi Class 3 TH-66 (Old Bow Road) corrected alignment and reclassified from private to Class 3
+0.21 mi Class 4 TH-66 (Old Bow Road) corrected alignment and reclassified from private to Class 4
-0.66 mi Class 4 TH-113 (Road J West) removed from map – mapped incorrectly in 2010
And
+0.05 mi Class 4 TH-114 (Road J East) remeasured

Please let me know if you need anything else on this.

Thank you,

Ryan Gumbart
Town of Weathersfield, VT

From: Brandon Gulnick <Townmanager@weathersfield.org>
Sent: Wednesday, March 26, 2025 10:44 AM
To: Land Use <Landuse@weathersfield.org>; Ray Stapleton <Highway@weathersfield.org>; Peter G. Raymond <praymond@sheeheyvt.com>; Debra Daniels Mithoefer <danielssurvey@usa.net>
Subject: FW: 2025 Mileage Certificate questions

See below.

From: [DeAndrea, Pam](#)
To: weathersfield@weathersfield.org; [Brandon Gulnick](#); [Dango, Flo-Ann](#)
Subject: RE: 2025 Mileage Certificate questions
Date: Thursday, March 27, 2025 2:26:00 PM
Attachments: [image002.png](#)
[image001.png](#)

Good afternoon again folks,

I have worked out the language to appear on the 2025 Mileage Certificate as follows:

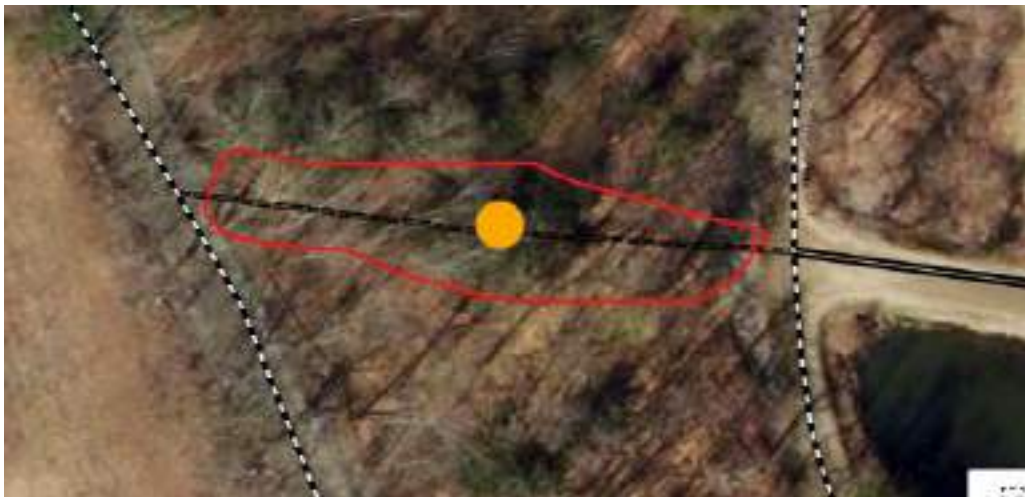
-0.66 mi CL4 TH-113 (Road J West) inadvertently mapped in wrong location in 2010, should have been the extension of TH-66 (Old Bow Rd)

+0.49 mi CL3 TH-66 (Old Bow Rd) added to correct location

+0.21 mi CL4 TH-66 (Old Bow Rd) added to correct location

If you would like to add this: +0.05 mi CL4 TH-114 (Road J East) remeasured

When going through this, we noticed another issue in Weathersfield. TH-68 is classified as Class 3, but it is not up to Class 3 standards, or NUTs (see road circled in red in the image below). We should designate this segment as NUTs in this cycle and essentially transfer the miles from Class 3 to Class 4 unless the Town has plans to bring the road up to Class 3 standards in the near future. You could reclassify the road as Class 4 or Legal Trail or discontinue the road for the next mileage certificate. Let us know what your plans would be.



Best,

Pam

Pamela DeAndrea (she/her) | AOT GIS Professional III
Policy, Planning & Research Bureau – Mapping Section
Policy, Planning & Intermodal Development Division
Vermont Agency of Transportation
219 N. Main Street | Barre, VT 05641
[802-793-7555 phone](tel:802-793-7555) | pam.deandrea@vermont.gov
<http://vtrans.vermont.gov>



Help raise money for Vermonters impacted by flood damage and show your Vermont pride with *Vermont Strong* and *Tough Too* license plates and socks. [Click here to purchase your Vermont Strong gear](#) or visit [DMV.Vermont.gov/VermontStrong23](https://dmv.vermont.gov/VermontStrong23).

Impacted Vermonters can find resources and referrals by visiting Vermont.Gov/Flood.

From: [DeAndrea, Pam](#)
To: ["weathersfield@weathersfield.org"](mailto:weathersfield@weathersfield.org); ["Brandon Gulnick"](#); ["Dango, Flo-Ann"](#)
Subject: RE: 2025 Mileage Certificate questions
Date: Wednesday, March 26, 2025 3:27:00 PM
Attachments: [image002.png](#)
[image004.png](#)
[image005.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image001.png](#)

Hi again Folks,

I think I made an error on the subtracted Class 4 entry on the certificate. It should be -0.45, not -0.045. The total was correct. So sorry about that. Also, I will revise the description on the cert to not say "reclassified from private" so as not to confuse and lead the public to believe these were ever designated as private roads, but that that was just an error in the data. I will update Part II, #3 so it doesn't mention a reclass from a private road but from Class4.

The cert should look like below:

edited 1963, 03-23-2025

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

| Town Highway | Previous Mileage | Added Mileage | Subtracted Mileage | Total | Notes |
|---------------|------------------|---------------|--------------------|--------|-------|
| Class 1 | 0.00 | | | 0.00 | 0.00 |
| Class 2 | 14.10 | | | 14.10 | 0.00 |
| Class 3 | 25.50 | 0.16 | 0.40 | 25.26 | 0.00 |
| State Highway | 71.00 | | | 71.00 | 0.00 |
| Total | 110.60 | | | 110.36 | 0.00 |
| Class 3 Note | 0.00 | | | 0.00 | |
| Class 4 | 11.00 | 1.30 | 0.05 | 12.25 | 0.00 |
| Legal Road | 12.7 | | | 12.7 | |

* Mileage for Class 3 Note, Class 4 and Legal Road changes/adjustments NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

1. NEW HIGHWAY: Please attach Section 5's "Certificate of Completion and Opening".

Thank you,

Pam

Pamela DeAndrea (she/her) | AOT GIS Professional III
Policy, Planning & Research Bureau – Mapping Section
Policy, Planning & Intermodal Development Division
Vermont Agency of Transportation
219 N. Main Street | Barre, VT 05641
802-793-7555 phone | pam.deandrea@vermont.gov
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Impacted Vermonters can find resources and referrals by visiting Vermont.Gov/Flood.

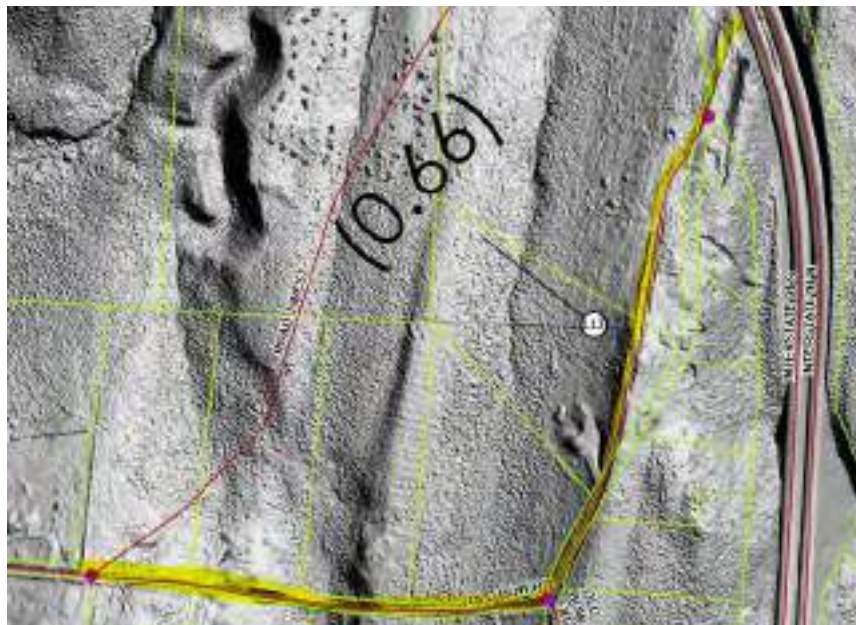
From: DeAndrea, Pam
Sent: Wednesday, March 26, 2025 10:36 AM
To: weathersfield@weathersfield.org; [Brandon Gulnick](mailto:Brandon.Gulnick@weathersfield.org) <Brandon.Gulnick@weathersfield.org>; [Dango, Flo-Ann](mailto:Dango.Flo-Ann@weathersfield.org) <Dango.Flo-Ann@weathersfield.org>
Subject: 2025 Mileage Certificate questions

Good morning folks,

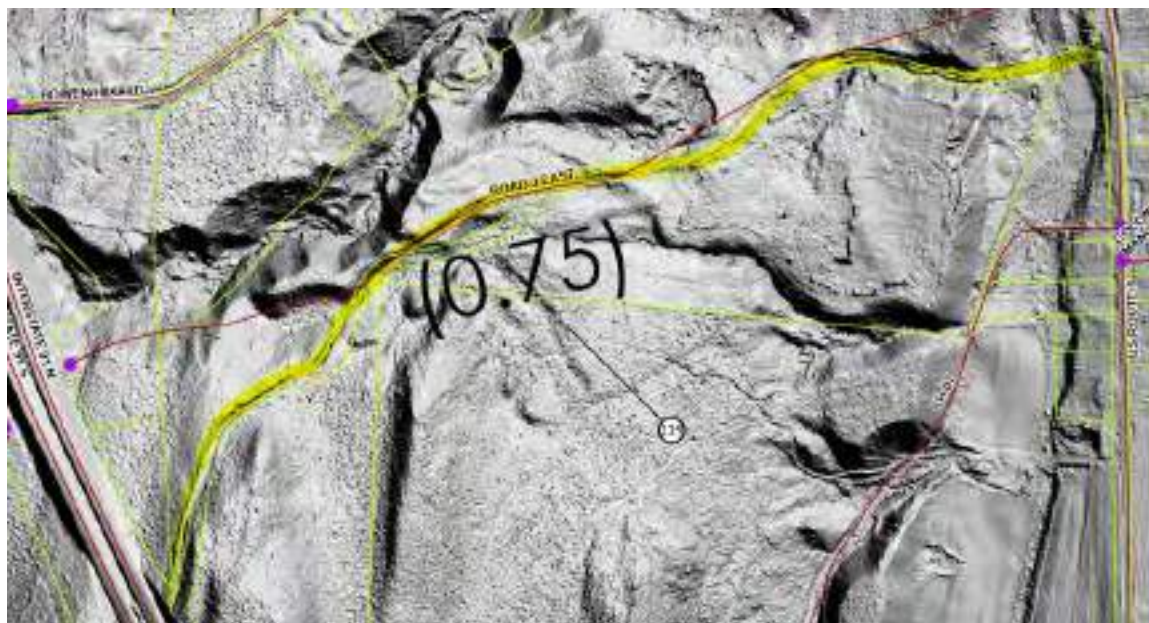
I have been working through the changes for Weathersfield regarding Old Bow Rd and the documentation you have sent us along with the 2025 Mileage Certificate. I read through the documentation, and it all looks good except that we don't think the mileage changes reported on the certificate of +0.16 miles for Class 3 and +1.30 miles for Class 4 matches what the mileage changes should be for Class 3 and Class 4.

In 2010, when we mapped the section of Old Bow Road that heads north, we believe we made a mistake. We named this road Road J West based on a historic survey, but mapped it too far west (red line for TH-113 in image below). We can see where Old Bow Road should have been very clearly with new elevation data (see yellow highlight in image below), which matches well with what we thought was a private road, the survey report,

parcel data, and Beers Atlas.



We also think the east side of Road J (TH-114) could also be updated based on the elevation (see yellow highlight in image below) as it matches the parcel data much better than what we currently have mapped (red line above yellow highlight). If we made this change now, the mileage update for TH-114 would be +0.05 miles.

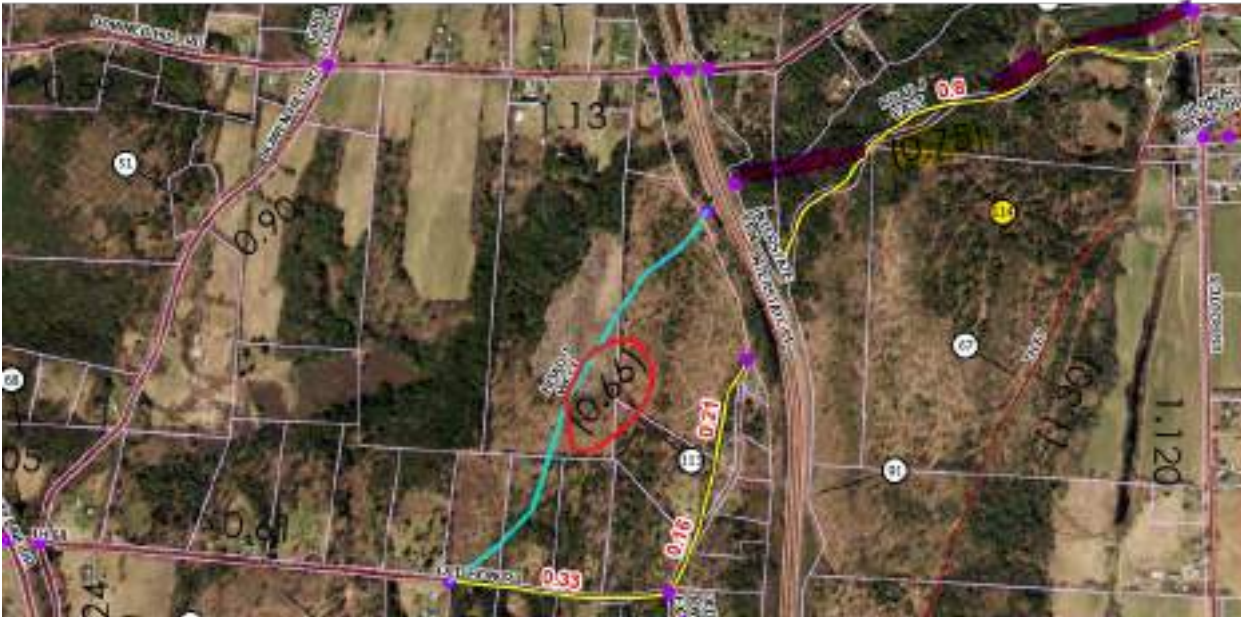


When I remapped these roads (see yellow lines below), I determined that the mileage changes reported on the mileage certificate of +0.16 miles of Class 3 and +1.30 miles of Class 4 does not quite match what we measure for Old Bow Road based on the documentation sent. From the documentation it is our understanding that the Class 3 portion would continue from the end of the 0.61 mile segment until the driveway of 1115 Old Bow Road (red arrow in image below) to the ROW for I-91.

For Class 3 Old Bow Road (TH-66), I get +0.33 miles heading east and +0.16 miles heading north. The increase for Class 3 would be a total of 0.49 miles, not 0.16 miles. Since we have mapped Road J incorrectly and it should be further east, for **Class 4** we would **subtract the 0.66 mileage for TH-113** and **add 0.21 miles**, that is a net change of **-0.45 miles for Class 4** of this road.

On the east side of I-91 if we remeasured Road J (TH-114) to match the elevation data and the parcel data more accurately, there would be a change of **+0.05 miles for Class 4**. The inaccurate alignment is shown in purple below and the remeasured road is shown in yellow and intersects with

Route 5 0.04 miles south of Ferry Road, which is probably the more accurate intersection based on historic maps. If the Town would want to wait on this change, that is fine. I just thought I would put it out there since we are making a change in this area anyway.



I know this is a lot so in summary, the changes on the mileage certificate would be as follows:

- +0.49 mi Class 3 TH-66 (Old Bow Road) corrected alignment and reclassified from private to Class 3
- +0.21 mi Class 4 TH-66 (Old Bow Road) corrected alignment and reclassified from private to Class 4
- 0.66 mi Class 4 TH-113 (Road J West) removed from map – mapped incorrectly in 2010

And if you want:

- +0.05 mi Class 4 TH-114 (Road J East) remeasured

Part I on the certificate would look as shown below. We can make the changes on our end before we sign it and send back to you but would just need your approval to make those changes. Please let us know if you approve with the updated mileage on the certificate as soon as possible and if you would like to include TH-114 this year. We need to finalize our mileages by next week.

TABLE 10. INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE

| PART I - CHANGES TOTALS - Please fill in and calculate totals. | | | | | |
|---|----------|---------|------------|---------|---------|
| Town | Previous | Added | Subtracted | Total | State |
| Highway | Mileage | Mileage | Mileage | Mileage | Highway |
| Class 3 | 0.000 | | | 0.000 | 0.000 |
| Class 4 | 14.100 | | | 14.100 | 0.000 |
| Class 5 | 30.32 | 0.49 | 0.45 | 30.36 | 55.01 |
| State Highway | 31.000 | | | 31.048 | 0.000 |
| Total | 105.748 | | | 105.748 | 105.748 |
| * Class 3 Lane | 0.000 | | | 0.000 | |
| * Class 4 | 11.000 | 1.20 | 0.045 | 12.155 | 11.500 |
| * Legal Total | 30.3 | | | 30.37 | |
| * Mileage for Class 3 Lane, Class 4 and Class 5 Total classification are NOT included in total. | | | | | |

Best,

Pam

Pamela DeAndrea (she/her) | AOT GIS Professional III
Policy, Planning & Research Bureau – Mapping Section
Policy, Planning & Intermodal Development Division
Vermont Agency of Transportation
219 N. Main Street | Barre, VT 05641
802-793-7555 phone | pam.deandrea@vermont.gov
<http://vtrans.vermont.gov>

From: [Tim Watkins](#)
To: [AOT - Mileage Certificates](#)
Subject: Old bow rd weathersfield vt
Date: Tuesday, July 16, 2024 10:01:26 AM

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EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello we live on a private deeded right of way the town of weathersfield has been working to take(reclassify) for 20 years. They have submitted paperwork again 2024 to do same. We have deeds and 3 survey's to support a 14 foot driveway access (privately owed) not a town road. We have offered to pay the towns surveyor to come help sort out the road placement..(using surveyors report filed with vtrans) The town is moving forward with plans to upgrade the private portion even falling short with it own survey measurements ? We have been working with john croft as much as possible but he says he has to work with the town and vtrans is very busy. We understand all that however we were hoping Vtans would notice measurements just don't add up. Hoping someone will hold the town accountable for such large errors. If anyone has a suggestion please let us know where to go. I don't understand how or why the town is not following the Vermont law. Thank you for your time Tim and Jessica watkins

From: [Brandon Gulnick](#)
To: [Tim Watkins](#)
Cc: [Jessica Eastman](#); [AOT - Public Records Manager](#); [Daniels, William](#); [Ray Stapleton](#); [Croft, Johnathan](#); [French, Anthony](#); [Weathersfield Town Office](#); [Olivia Savage](#); [Flo-Ann Dango](#); [Good 2 Go](#); [ERDF \(Eric DeFelice\)](#); [Patience Bearse](#)
Subject: RE: [Questions and Comments] Old bow rd weathersfield vt
Date: Monday, July 15, 2024 12:21:44 PM
Attachments: [Exhibit 1.pdf](#)

Some people who received this message don't often get email from townmanager@weathersfield.org. [Learn why this is important](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Mr. Watkins,

We sent you all the evidence that Old Bow Road is a Town Road from TH66 to the Western Boundary of I-91. According to 19 V.S.A § 717 (a) "The lack of a certificate of completion of a highway shall not alone constitute conclusive evidence that a highway is not public." Therefore, a Town Highway does not need to be certified in order for it to be considered a Town Road. The legal process was followed to adopt the Class IV section of road prior to you purchasing your property. The landowners who did own your property when the road was classified as a Class IV Town Road were notified via certified mail and we have that receipt.

Again, cease and desist all posting of Old Bow Road. As shown on Exhibit 1 attached, the Town Road is identified in red. Any posted signage, gates, or other obstructions moving forward will be enforced through prosecution.

Sincerely,

Brandon Gulnick
Town Manager
Town of Weathersfield
5259 US Route 5, PO BOX 550, Ascutney, VT
E. Townmanager@weathersfield.org
P. (802) 674-2626 F. (802) 674-2117
www.weathersfieldvt.org

From: Tim Watkins <u8dodgewatkins@gmail.com>
Sent: Monday, July 15, 2024 12:10 PM
To: Brandon Gulnick <Townmanager@weathersfield.org>
Cc: Jessica Eastman <jezzbud046@gmail.com>; AOT.PublicRecordsManager@vermont.gov; william.daniels@vermont.gov; Ray Stapleton <Highway@weathersfield.org>; Croft, Johnathan <Johnathan.Croft@vermont.gov>; French, Anthony <Anthony.French@vermont.gov>; Weathersfield Town Office <Weathersfield@weathersfield.org>; Olivia Savage <osavage@weathersfield.org>; Flo-Ann Dango <Townclerk@weathersfield.org>; Good 2 Go <getacdl802@gmail.com>; ERDF (Eric DeFelice) <erdf@novonordisk.com>; Patience Bearse <pbearse@weathersfield.org>
Subject: Re: [Questions and Comments] Old bow rd weathersfield vt

Brandon..I have infront of me all verifiable information you are on the wrong road. Furthermore Vtans is wanting to help find your town road and understand these chandes too .No road changes will be certified until july 2025. And after vtans can understand what your trying to do.My suggestion is prove this is a town road as I asked more than a year ago (pre flood spending)We have proof with Vtans it is not. All we ever asked for. Just to clarify,all threatening behavior and actions have come from the town and mr.Charest. When This started the town wanted to understand complication and cause....never once have we been asked what our loss is or what property belongs to us.My deeds and surveys fraudulent? Very interesting?? We should go to court and get a fair assessment of all that has happened and continues to occur unchecked. End this situation with proof not guesses. We will follow the law but will not be stolen from. Thank you Timothy and Jessica watkins

On Mon, Jul 15, 2024, 11:48 AM Brandon Gulnick <Townmanager@weathersfield.org> wrote:

Mr. Watkins,

You have been notified on various occasions that you do not own the road and to remove any signage and gates on the Class IV section of Old Bow Road. In addition, Christopher Charest served a no trespass order on you because you continue to post signs and harass people on the Class IV section of Old Bow Road, and post property on the road that does not belong to you. This will no longer be tolerated, and the town is prepared to take action, up to and including prosecution.

You have been served various letters via email and certified mail, including the attached letter presenting our findings emailed to you and delivered via certified mail on June 9, 2024. In addition to that, your attorney communicated with us and agrees that the section of road you are referring to is a Class IV Town Road. We have further been notified that you and your family are harassing drivers on the road, and residents on the road that are either visiting or entering their property.

We have made every effort to work with you, and have exhausted all efforts to work with you and your family. I understand that you purchased your property when there was no development across the street, however, that land has been purchased and development (lots 6, 7, and 8) will commence there. Continuing to post signs on a Town Right of Way/Class IV Town Road, entering Charests property and posting no trespass signs on his property, and harassing drivers on the road or harassing residents that live on the road will not be tolerated and will be enforced by prosection. Please consider this your final warning.

Respectfully,

Brandon Gulnick
Town Manager
Town of Weathersfield
5259 US Route 5, PO BOX 550, Ascutney, VT
E. Townmanager@weathersfield.org
P. (802) 674-2626 F. (802) 674-2117
www.weathersfieldvt.org

From: Tim Watkins <u8dodgewatkins@gmail.com>
Sent: Monday, July 15, 2024 11:24 AM
To: Johnathan.Croft@vermont.gov
Cc: AOT.PublicRecordsManager@vermont.gov; Brandon Gulnick
<Townmanager@weathersfield.org>
Subject: Re: [Questions and Comments] Old bow rd weathersfield vt

Good afternoon..My wife and I just returned home and have noticed that the town has removed signage from my private driveway. I was in hopes vtrans was able to contact the town with proper information. I was also under the impression that this was going to STOP the trespassing on our property. Please advise what part is missing here. The town continues the pursuit of our property through private executive sessions?? What holds this board accountable? Thank you for your continued attention. Tim and jessica watkins

On Mon, Jul 1, 2024, 9:59 AM Tim Watkins <u8dodgewatkins@gmail.com> wrote:

Thank you for your attention and if you can pass this to anyone who may be helpful please do so. I will continue on my end. Have a good day

On Mon, Jul 1, 2024, 9:49 AM Croft, Johnathan <Johnathan.Croft@vermont.gov> wrote:

Good morning Mr. Watkins,

The VTrans Mapping Section has received the Surveyor's Report on Old Bow Road (TH-66 and TH-67) from Debra Daniels Mithoefer, PLS and Selectboard minutes from September 2006. We will be working with the Town of Weathersfield to understand and map these highways, which will have any changes noted on the 2025 Certificate of Highway Mileage. Due to our process and workflows, any changes won't be reflected on the town highway map until July of 2025.

Since town highways are under the authority of the Selectboard, they are the point of contact for any issues regarding legal establishment, extent, and location of town highways and legal trails.

Johnathan

Johnathan Croft | Mapping Section Chief
Policy, Planning & Research Bureau – Mapping Section
Policy, Planning & Intermodal Development Division
Vermont Agency of Transportation
219 North Main Street | Barre, VT 05641
[802-828-2600 phone](tel:802-828-2600) | johnathan.croft@vermont.gov
<http://vtrans.vermont.gov>

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Impacted Vermonters can find resources and referrals by visiting Vermont.Gov/Flood.

From: Tim Watkins <u8dodgewatkins@gmail.com>

Sent: Monday, July 01, 2024 9:11 AM

To: Lofgren, Matt <Matt.Lofgren@vermont.gov>

Subject: Re: [Questions and Comments] Old bow rd weathersfield vt

You don't often get email from u8dodgewatkins@gmail.com. [Learn why this is important](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Here is so information for john croft I have 3 supporting surveys. The town is trying to make the same mistakes they tried in 2008...I am going to a town planning meeting this evening to try to defend my property. Thank you for your time

On Wed, Jun 5, 2024, 11:21 AM Agency of Transportation
<matt.lofgren@vermont.gov> wrote:

Thank you for your email to the Agency of Transportation. This message is to let you know we have received your request and will respond to it very soon.

We receive many inquiries each day on various issues. All emails are important to us whether they are complimentary or critical. We consider all safety-related concerns a priority. Each response requires a different level of research and will be responded to in the order, in which they are received.

We appreciate hearing from the public. It keeps us informed on public opinion regarding road construction and other transportation issues. We will respond back to you as soon as the information is available.



Doc ID: 000909720001 Type: LAN

BK 203 PG 217

Petition to Reclassify Old Bow Road from a Class IV to a Class III Town Road

Weathersfield Selectboard, and Town Manager,

On November 4, 2006, following a Site Examination and Public Hearing, the Selectboard voted to determine Highway 66, Old Bow Road, a provisional Class III Road until Barry Newton's residence, and a Class IV Road until the end. This was done in accordance with the Surveyors Report the Selectboard adopted on September 21, 2006, which declares that Old Bow Road is a Town Road from the end of TH66 to the western boundary of I-91.

In 2007, the Selectboard made an agree with Timothy Watkins to maintain the Class IV section of the road, and limited maintenance activities to plowing, sanding, yolk raking, and shovel ditch work. Timothy Watkins was the only resident that lived on the Class IV section of Old Bow Road at that time, and 40 acres of land on the western side of the road remained undeveloped. Recently, Kimberly Wilkinson built a home in 2018, and two (2) of the 10 acre lots (lots 6 & 7) were sold, and there are plans to build homes on these lots. Additionally, lot 8 will be sold, and there is discussion about potentially subdividing that lot and building 1-3 homes on these 20 acres.


There is currently no place for emergency vehicles or town highway equipment to turn around on Old Bow Road. I am granting the Town an easement to turn around on Lot 8, and the Highway Superintendent and I have staked out where the turnaround will be.

We are requesting the Town of Weathersfield hold a Site Examination and Public Hearing on the Class IV Section of Old Bow Road, to create the turnaround, and maintain the Class IV section of Old Bow Road. We believe it is in the best interest of the Town and the public to do this.

Please contact me with any questions.

Very Respectfully,

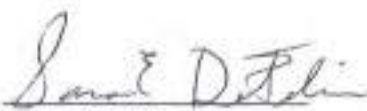

Christopher Charest


Christina Charest


Kimberly Wilkinson

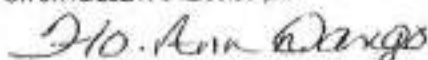

Brad DeFelice


Eric DeFelice


Sara DeFelice


Jesse Costa


Kat Costa



NOTICE OF PUBLIC HEARING

In accordance with the provisions of 19 V.S.A. § 709, the Selectboard for the Town of Weathersfield, Vermont, will hold a public hearing on Monday, August 26, 2024, at 6:30pm to hear public comments on the change of classification or alteration of the Class IV section of Old Bow Road in Weathersfield, Vermont. The hearing will be held at Martin Memorial Hall, 5259 US Route 5, Ascutney, VT 05030. The Selectboard will examine the premises on Thursday, August 15, 2024, at 6:30pm to become familiar with Old Bow Road prior to the public hearing. The site examination will commence at the beginning of the Class IV section of Old Bow Road, located at 1115 Old Bow Road, Weathersfield, VT 05156. Anyone wishing to attend is warned to be present on either of these dates at the abovementioned locations.

Statement of Purpose

The Selectboard received a petition from eight (8) landowners that live or own property on or near the Class IV section of Old Bow Road. The road does not currently have a turnaround at the end for emergency services and highway equipment to turnaround, which creates a public safety issue. Christopher Charest, owner of Lot 8 on the west side of the road, Span No. 705-224-11642, has offered to deed the Town an easement on his land (lot 8) to provide space for a turnaround.

Geographic Areas Affected

Class IV Section of Old Bow Road

Persons wishing to be heard may do so in person, be represented by an agent, or may file written comments with the Select Board prior to the hearing.

Dated at Town of Weathersfield, Windsor County, State of Vermont, this 22nd day of July 2024.


Michael Todd, Chair
Weathersfield Select Board

7/23/24

From Tim Watkins •
u8dodgewatkins@gmail.com

To Sven Fedorow •
landuse@weathersfield.org

Date Jun 30, 2024, 8:53 AM

[View security details](#)

Hello Ryan..I wanted you to see this information it is accurate. This matches the towns 2006 survey and we have an 2011 and 2022 that support all this as true. I Have and will pay any of these companies to come explain this to us all if necessary. Thank you for your time and understanding, Tim.





Brandon Gulnick
Town Manager
TEL. (802) 674-2626
Weathersfieldvt.org

TOWN OF WEATHERSFIELD

OFFICE OF THE SELECTBOARD/ TOWN MANAGER

5259 US ROUTE 5
ASCUTNEY, VERMONT 05030

Susanne Terrill
Human Resources

Patience Bearse
Finance

Olivia Savage
Principal Clerk

June 6, 2024

Dear Mr. Timothy Watkins, Mr. Christopher Charest, et al,

Our Team has researched, reviewed, and analyzed the questions presented related to the Class III & Class IV sections of Old Bow Road. The information, questions, and documents Mr. Warkins & Mr. Charest presented to us via email, physically and verbally, were reviewed & analyzed by our legal team throughout our research and analysis. Following the distribution of our conclusion to both Mr. Watkins & Mr. Charest via email & certified mail, there have been further questions presented to us, and requests for clarification. The purpose of this letter is to provide that clarification.

A. Is Old Bow Road a Town Road?

In the past, there have been questions regarding whether Old Bow Road is a Town Road, and what the classifications of the road were/are. Old Bow Road has been a Town Road in the past and continues to be a Town Road today. Old Bow Road is a Town Road from the end of TH66 to the western boundary of I-91.

For example, in 1964 the State of Vermont, through the State Highway Board, agreed to the Construction of I-91 that caused a section of Town Road #67 "Old Bow Road," which was leading westerly up the hill from Weathersfield Bow to be cut and no longer available to through traffic and the Selectmen proposed to improve the southerly section of Town Road #67 "Old Bow Road," estimated as about one mile in length, for the benefit of local traffic traveling northerly from the Springfield-Weathersfield Town Line. The Condemnation Order demonstrates that 0.6 acres more or less, of Town Road #67 "Old Bow Road" was sold by the Town to the State of Vermont Department of Highways for the construction of I-91, and the remaining portion is a Town Road.

Another example is in September and November of 2006, when landowners along Bow Road commissioned a surveyor to analyze whether Old Bow Road was/is a Town Road. The Surveyor concluded it was/is a Town Road. Then, on November 6, 2006, following the posting of a Public Hearing Notice for Old Bow Road, notification to abutting landowners via certified mail, including the owners of the property abutting the Class IV section of Old Bow Road at the time this Public Hearing took place (neither Mr. Watkins nor Mr. Charest would not have received notice because neither owned the property at this time), notification to the Planning Commission via certified mail, and publishing in our local newspaper, a public hearing took place. We have evidence to support that both Jere Wright and Pak Construction received notification of this Public Hearing (again, because neither Mr. Charest nor Mr. Watkins owned property at this time). This Public Hearing resulted in the determination that most of Bow Road is a Class III Town Road, and the final section after Mr. Newton's residence to the end is a Class IV Town Road, which is the section of the road Mr. Watkins is currently claiming is private, and that is incorrect.

- CONTINUED ON NEXT PAGE -

B. Whether Timothy Watkins has permission to maintain the Class IV section of Old Bow Road.

In 2007 Mr. Timothy Watkins requested approval from the Selectboard to maintain the portion of the Class IV section of Old Bow Road that leads to his residence (SPAN # 705-224-11218).

The minutes of this meeting indicate that Mr. Watkins purchased the last lot on Old Bow Road and would like to maintain the portion of the Class IV Town Road to his house. Mr. Watkins agreed to plow, sand, yolk rake, and do shovel ditch work as needed. The Selectboard approved his request unanimously. There was no agreement between the Selectboard and Timothy Watkins that granted him ownership of the road.

C. Whether Timothy Watkins is in violation of the Town of Weathersfield, VT Policy Regarding Class IV Town Highways.

Following significant review of historical communications between the Town & Timothy Watkins from the date Mr. Watkins purchased property to June 6, 2024, there has not been any requests from Timothy Watkins to modify his agreement with the Town of Weathersfield to maintain the Class IV section of Old Bow Road. The signage constructed on the Class IV section was not approved and is in violation of the maintenance agreement Mr. Watkins has with the Town of Weathersfield.

The Town of Weathersfield Class IV Town Highway Policy adopted pursuant to the authority granted in Title 19, Chapter 3 and Chapter 7, of the Vermont Statutes Annotated, and was developed to discourage the reclassification and/or upgrading of Class IV Town highways and trails. However, it is the right of an abutting landowner to request changes in the status of a Town highway and/or trail. If so petitioned, the Select Board will conduct the required hearing, and issue a decision, in accordance with the procedures set forth in Title 19, Sections 708 through 716, inclusive, of the Vermont Statutes Annotated.

Within the Policy, two (2) definitions were provided, which includes "Regular Maintenance" and "Major Improvement." Regular Maintenance is defined as "any maintenance conducted to maintain the road to a level consistent with normal Class IV road conditions (passable with a 4X4 vehicle). Examples of regular maintenance would be "clearing ditches, repairing storm washout, and other minor maintenance as determined by the Highway Superintendent," and Major Improvement is defined as "any maintenance that improves the road making it wider, or accessible to vehicles not normally able to travel that section of road." Examples of a road upgrade may include, but not limited to: "Widening Road, improving road base, building structures, or other improvements that are determined to be upgrades by the Highway Superintendent, Highway Committee, Town Manager or Selectboard."

This policy sets specific general, summer maintenance, and winter maintenance procedures for landowners that reside on a Class IV Town Road.

General Procedures: Any landowner with property adjacent or abutting a Class IV Town highway or trail who wishes to perform, or arrange for the performance of, maintenance work on a Class IV town highway, trail, or unclassified trail shall make a request to the Highway Superintendent prior to commencing any work. The landowner shall be responsible for all costs associated with the Class IV Town Highway and/or trail maintenance or improvements. Trees that have fallen across the road can be removed and will not be considered as maintenance, however clearing trees and brush from the sides of the road will require written permission.

- CONTINUED ON NEXT PAGE -

If the Highway Superintendent determines the work to be regular maintenance, he/she can give written approval (for one time or re-occurring maintenance) to the requesting landowner with a copy being submitted to the Town Manager. If he/she determines this to be a major improvement to the road, a written request will be required.

The written request shall contain drawings and descriptions of the work to be done. The applicant shall also give sufficient notice (2-3 weeks) to the Highway Superintendent so that he/she shall meet with the town's Highway Committee (Highway Superintendent, Town Manager and Selectboard Representative) to determine if the project should be classified as Major Improvement.

If the Committee determines the request is a Major Improvement to the road or trail, the request will be taken before the Selectboard at the next regularly scheduled meeting for approval.

No work shall commence without written permission issued by the Select Board.

Upon completion of the work, the landowner shall notify the Highway Superintendent in writing. The Town's Highway Committee shall inspect the project and issue a report on the acceptability of the work.

Any work completed on a Class IV Road without permission from the Town will be reviewed by the Selectboard and may be returned to its original condition at the expense of the landowner or person who performed the work's expense.

Summer Maintenance Procedures: Annually, the Town's Highway Superintendent shall inspect Class IV Town highways and/or trails which have, as of the date of the adoption of this Policy, at least one (1) year-round resident. The Highway Superintendent shall evaluate the Class IV highways and/or trails and, as time permits, may perform minimal maintenance. Resident input shall be considered during the evaluation. Any maintenance performed pursuant to this Policy shall not be considered improvements and/or upgrades to the highway and/or trails.

Winter Maintenance Procedures: The Town shall not provide any winter maintenance of Class IV Town highways and/or trails. Winter maintenance, including snow removal and plowing, may be done by private parties only with the prior written permission of the Highway Superintendent.

Town Policy, nor the Maintenance Agreement between the Town of Weathersfield and Mr. Timothy Watkins, provides Mr. Timothy Watkins with the authority to construct signage on the Class IV section (or any section) of Old Bow Road. According to Town Policy, adopted through the authority granted to the Selectboard in Title 19, Chapter 3 and Chapter 7 of the Vermont Statutes Annotated, "any work completed on a Class IV Road without permission from the Town will be reviewed by the Selectboard and may be returned to its original condition at the expense of the landowner or person who performed the work's expense."

According to 24 V.S.A. § 1236 (5) the Town Manager shall have the authority and it shall be his or her duty "to perform all duties now conferred by law upon the Road Commission of the Town....," and therefore, will enforce this section of Town Policy and find Timothy Watkins in violation of the Town of Weathersfield Class IV Town Road Policy, and the maintenance Agreement between the Town of Weathersfield and Mr. Timothy Watkins, requiring the signage be removed, and the area be brought back to its original condition at the expense of Mr. Timothy Watkins.

- CONTINUED ON NEXT PAGE -

Mr. Watkins was ordered via email and certified mail on June 4, 2024, to remove all signage by Sunday, June 9, 2024, which is considered sufficient time to remove the unapproved signage and return the areas to their original condition.

D. Who are the abutting landowners on the Class IV section of Old Bow Road, and who may use the Class IV section of Old Bow Road?

As of June 6, 2024, the existing landowners that use the Class IV section of Old Bow Road include Timothy Watkins on the east side, Span No. 705-224-11218, Christopher Charest on the west side, Span No. 705-224-11642, and Kimberly Wilkinson on the east side, Span No. 705-224-11601, all of which may use the Class IV Section of Old Bow Road to access their properties. Further, the Class IV section of Old Bow Road is open to the public, including any guests, invitees, etc., that wish to use the road, including for walking, driving, biking, etc.

E. Has the Town received a petition by anyone to discontinue the Class IV section of Old Bow Road?

In 2007, the Selectboard received a petition from Timothy Watkins to discontinue the Class IV Section of Old Bow Road. It was not approved by the Selectboard and continues to remain a Class IV Town Road as of June 6, 2024, open to the public. We have no intent to discontinue this road in the future.

F. Why does Old Bow Road not appear on Highway Maps?

Back in 2008, the Town of Weathersfield added the Class III & Class IV sections of Old Bow Road to the Certificate of Highway Mileage for year ending February 10, 2008. This is further evidence that the Class III & Class IV sections of Old Bow Road was/ is a Town Road. On March 13, 2008, the Town received correspondence from the State of Vermont Policy & Planning Division-Mapping Unit, requesting simple information, including whether there was a site visit, whether abutting landowners were notified, whether a notice was posted in the office of the Town Clerk, whether the Planning Commission was notified, and whether a noticed was published in a local newspaper of general circulation in the area not less than ten days before the time set for the site visit. There may have been transition or the notification was missed by the Town, and the simple information requested was not provided. This information has since been provided to the State of Vermont and will be added for the next mileage certificate cycle, and Highway Map.

G. Since the Road was not added to the State Highway Map, does that mean the Class III & Class IV sections of Old Bow Road are not a Town Road?

Absolutely not. The purpose of the Highway Mileage certificate is to receive funding from the State of Vermont for Class III roads, but not Class IV roads.

H. Mr. Watkins has made several other statements/ claims, the remainder of which have been Reserved for this section of the letter.

1. **“[Since I maintained the road for the past fifteen (15) years, Vermont Statute clearly states that it belongs to the property owner that has maintained it.]”**

The Adverse Possession law does not apply here for various reasons, including the fact that the Town came to an agreement with Timothy Watkins and gave him permission to maintain the Class IV section of Old Bow Road, and limited the maintenance to plowing, sanding, yolk raking, and shovel ditch work as needed.

- CONTINUED ON NEXT PAGE -

2. **“You have not only ignored all requests for help during emergencies you have neglected to maintain any culverts.”**

According to the Town of Weathersfield Policy Regarding Class IV Town Highways, “any maintenance conducted to maintain [a Class IV Road], is to a level consistent with normal Class IV Road conditions (passable with a 4x4 vehicle). Any requests for work on the Class IV section of Old Bow Road shall be made in writing to the Highway Superintendent and Town Manager going forward, by any abutting landowner of Old Bow Road.

3. **“In August 2023 flooding we requested your help the road was washed out an was denied with your town explaining to us it was private property.”**

I have no record of Mr. Watkins request to assist with your road wash-out during the July floods. The Town of Weathersfield experienced significant damage to our Town, including bridges and roads, and the Highway Department was inundated with emergency response. The Highway Superintendent vaguely recalls a conversation with Mr. Watkins, to the effect that Mr. Watkins continued to deem Old Bow Road as a private road, which is incorrect. Further, Class IV roads are ineligible for FEMA funding. In the future, when anyone has requests for maintenance on the Class IV section of Old Bow Road, please direct them to Ray Stapleton via email at highway@weathersfield.org, and copy the Town Manager at townmanager@weathersfield.org. According to the Town of Weathersfield, Vermont Policy Regarding Class IV Town Highways, examples of regular maintenance would be clearing ditches, repairing storm washout, and other minor maintenance as determined by the Highway Superintendent. Again, in the future, please make your requests via email or in writing to the Highway Superintendent and the Town Manager.

CONCLUSION

Following significant research, review, and analysis in reference to Old Bow Road, we are confident that Old Bow Road is in fact a Town Road from the end of TH66 to the western boundary of I-91. The legal process was followed by the Town to classify most of Old Bow Road as a Class III Town Road, and the section from Mr. Newton’s residence, SPAN # 705-224-10791, to the end as a Class IV Town Road. Both sections of road are open to the public, cannot be blocked, and any unauthorized signage must be removed that describes the road otherwise. This includes, but is not limited to, existing signage that was erected on the road without approval from the Town. Signage must be removed no later than June 9, 2024. Timothy Watkins does have permission to maintain the Class IV section of Old Bow Road to his driveway, however, that permission is limited to plowing, sanding, yolk raking, and shovel ditch work. No other work may occur without permission by the Town of Weathersfield, including the posting of signage along the road. The agreement with Mr. Watkins is currently in violation of the Maintenance Agreement because there is signage on the road that was not approved.

The Town of Weathersfield has adopted the Policy Regarding Class IV Town Highways, which is the policy that governs the Class IV section of Old Bow Road. This Policy is attached to this letter for informational purposes. This policy lays out the purpose behind adopting a policy for Class IV roads, definitions of regular maintenance and major improvements, procedures, summer maintenance, winter maintenance, and a section relating to Crown Point Road. There was a request in the past by Mr. Timothy Watkins to discontinue the Class IV section of Old Bow Road back in 2007 and the Selectboard denied Mr. Watkins’ request because it would not serve the public any good. Further, the discontinuance would have landlocked certain properties along the Class IV section of Old Bow Road.

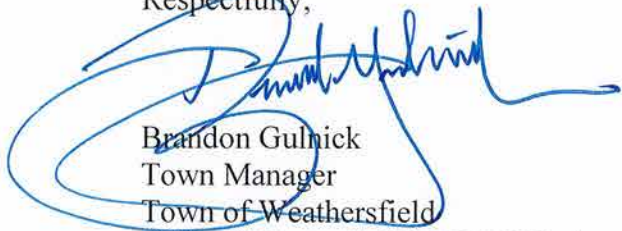
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An Adverse Possession claim for the Class IV section of Old Bow Road was made. Again, Adverse Possession does not apply here for various reasons, one of which is the fact that we were aware of Mr. Watkins maintenance activities on the Class IV section of Old Bow Road, because we granted him permission to maintain it back in 2007, however, that permission was limited to the activities described above, and has no bearing on ownership.

Similar to many other Class IV Town Roads, the landowners that use the road to access their properties typically develop a maintenance agreement amongst themselves and request the Town to review and approve it. In this case, my recommendation is that all three (3) landowners meet at Martin Memorial Hall in Weathersfield to discuss a shared maintenance plan for future maintenance on the road. The maintenance plan can then be presented to the Selectboard for review once the residents on the road have come to an agreement.

If you have any questions or concerns, please let me know. Otherwise, we can arrange a group meeting at Martin Memorial Hall to work on a maintenance plan.

Respectfully,



Brandon Gulnick
Town Manager
Town of Weathersfield

5259 US Route 5, PO BOX 550, Ascutney, VT

E. Townmanager@weathersfield.org

P. (802) 674-2626 F. (802) 674-2117

www.weathersfieldvt.org

CC: Michael Todd, Selectboard Chair
William Daniels, Police Chief
Anthony French, Vermont State Police
Ray Stapleton, Highway Superintendent
Ryan Gumbart, Land Use Administrator
Flo-Ann Dango, Town Clerk
Christopher Charest, Abbuter
Kimberly Wilkinson, Abbuter

VIA CERTIFIED MAIL & EMAIL

From: [Brunk, Meghan](#)
To: [Brandon Gulnick](#)
Cc: [Sven Fedorow](#); [Westley Hazeltine](#); [AOT - Mileage Certificates](#)
Subject: FW: Highway Mileage 2008
Date: Thursday, June 6, 2024 7:23:24 AM
Attachments: [2008 Mileage Certificate.pdf](#)
[1. Surveyor's Report - Written portion.pdf](#)
[2. 2006.09.07 - SB Minutes \(Surveyor presents report\).pdf](#)
[3. 2006.09.21 - Item 5 - Town accepts report to reclass.pdf](#)
[4. 2006.11.04 - Petition to SB.pdf](#)
[5. 2006.11.04 - Notice of Public Hearing.pdf](#)
[6. Certified mail slips 1.pdf](#)
[7. 2006.11.04 - SB minutes - Public Hearing.pdf](#)
[image001.png](#)

Good morning Brandon,

Thank you for providing this information. I've cc'ed the VTrans mileage certificate folks to see if they can review it now and see if they require any other documentation.

Mileage Certificates are due every year by February 20 so even if everything you provided is adequate, you will need to resubmit everything with next year's certificate and the change in mileage won't go into effect until then.

Please let me know if you have any questions.

Thank you,

Meghan Brunk | AOT Technician V
District 2 | SE Region
District Maintenance and Fleet Division
Vermont Agency of Transportation
870 US Route 5 | Dummerston VT 05301
802-275-2082 Phone | Meghan.Brunk@vermont.gov
<http://vtrans.vermont.gov>



From: Brandon Gulnick <Townmanager@weathersfield.org>
Sent: Wednesday, June 5, 2024 4:26 PM
To: Brunk, Meghan <Meghan.Brunk@vermont.gov>
Cc: Land Use <Landuse@weathersfield.org>; Ray Stapleton <Highway@weathersfield.org>
Subject: Highway Mileage 2008

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Meghan,

Back in 2008 we submitted a Certificate of Highway mileage to include Town Highway 66

“Old Bow Road.” For some reason, no response was given to the State answering the questions presented. I think there was some turnover in the office at that time. We would like to move forward and add the Class III and Class IV sections of Old Bow Road onto the Highway map.

Attached is the 2008 Mileage Certificate that was submitted, and the States response. Also attached is the surveyors written report, the Selectboard minutes from September 7, 2006, and September 21, 2006, the Petition to the SB, Notice of Public Hearing, Certified Mail Slips, and Public Hearing minutes.

Please let me know if there is anything further that you need from me.

Thank you,

Brandon Gulnick
Town Manager
Town of Weathersfield
5259 US Route 5, PO BOX 550, Ascutney, VT
E. Townmanager@weathersfield.org
P. (802) 674-2626 F. (802) 674-2117
www.weathersfieldvt.org

District 2, 4

CERTIFICATE OF HIGHWAY MILEAGE YEAR ENDING FEBRUARY 10, 2010

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2010 to:
Vermont Agency of Transportation, Division of Planning, Outreach and Community Affairs, One National Life
Drive, Montpelier, VT 05633.

We, the members of the legislative body of WEATHERSFIELD 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 1 Lane | 0.000 | | | | |
| Class 2 | 14.180 | | | 14.18 | 0.000 |
| Class 3 | 54.94 | | | 54.94 | 0.000 |
| State Highway | 31.046 | | | 31.046 | 0.000 |
| Class 4 | 4.43 | Map, surveys, Board minutes | 9.59 | 14.02 | 0.000 |
| Legal Trail | 0.00 | 0.64 | | 0.64 | |
| Total | 100.166 | | | 100.166 | 0.000 |

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

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE. Totals by

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening". S. Moulton 4/2/10
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
Enclosed list, with original survey documents and surveyor's plat included
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: Paul S. Bon, John, John Armani, David]

T/C/V Clerk Signature:

Date Filed:

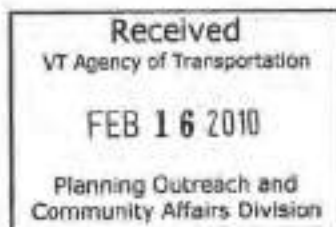
Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

[Handwritten signature]
Representative, Agency of Transportation

DATE: 5/19/2010



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>

12/29/2009

CHARTERED BY
NEW HAMPSHIRE
AUGUST 20, 1761

Town of Weathersfield

POST OFFICE BOX 550
ASCUTNEY, VERMONT 05030-0550

CHARTERED BY
NEW YORK
APRIL 8, 1772

Telephone: [802] 674-2626
Facsimile: [802] 674-2117

E-Mail: wthrslfd@weathersfield.org
Website: <http://www.weathersfield.org>

Select Board

NOTICE OF PUBLIC HEARING

Pursuant to Title 19, Chapter 3, of the Vermont Statutes Annotated the Select Board for the Town of Weathersfield, Vermont, will conduct a public hearing on Thursday, the seventh day of January, 2010, A.D., beginning at 6:30 o'clock, P.M., in the Martin Memorial Building at 5259 U.S. Route 5 in Ascutney, Vermont, to receive evidence for determining if the Town of Weathersfield wishes to preserve the following rights-of-way, commonly identified as "Ancient Roads" within Section 302 of said Statutes:

Road A Starting at a point at the end of Town Highway 41, the so-called Hidden Glen Road, proceeding in a southeasterly direction roughly parallel to Vermont Route 131 to the eastern boundary of Interstate 91; then starting at a point opposite on the western boundary of Interstate 91 continuing in a southwesterly direction to the intersection of Town Highway 46, the so-called Goulden Ridge Road, with the Town Highway 44, the so-called Goulden Ridge Road; then along Town Highway 44 to the intersection of Town Highway 44 and Town Highway 1, the so-called Weathersfield Center Road; thence crossing Town Highway 1 and continuing in a southwesterly direction to a mid-point on Town Highway 47, the so-called Perkins Hill Road at the intersection of Town Highway 73, the so-called Grout Lane; thence continuing along Grout Lane and thence southwesterly in a line with Grout Lane for a distance of approximately one thousand, five hundred feet (1,500'). Said right-of-way is laid out at four (4) rods as recorded in Volume 2, Page 96, of the Weathersfield Town Proceedings.

Road F Starting at a point on Town Highway 6, the so-called Ascutney Basin Road, where it crosses Youngs Brook, proceeding in a northeasterly direction to the West Windsor town line. Said right-of-way is laid out at four (4) rods as recorded in Volume 3, Page 38, of the Weathersfield Town Proceedings.

Road G Starting at a point on Town Highway 5, the so-called Little Ascutney Road, opposite the end of Town Highway 11, the so-called Lottery Lane, and proceeding in a northerly direction along the ledges to Town Highway 6, the so-called Ascutney Basin Road, at the point where it crosses Youngs Brook. Said right-of-way is laid out at four (4) rods as recorded in Volume 3, Page 37, of the Weathersfield Town Proceedings.

Road H

Starting at the end of Town Highway 63, the so-called Stokes Road, and proceeding in a southwesterly direction along what is commonly known as Carley Road to the Springfield town line and the intersection with Chevalier Trail in the Town of Springfield. Said right-of-way is laid out at four (4) rods as recorded in Volume 2, Page 141 of the Weathersfield Town Proceedings.

Road I

Starting on the east side of Town Highway 4, the so-called Reservoir Road, just north of Town Highway (38) the so-called Butterfield Hill Road, and proceeding in a northeasterly direction in a straight line crossing lands now owned by the Town of Springfield for a distance of five thousand, eight hundred twenty-five feet (5,825'). Said right-of-way is laid out at four (4) rods as recorded in Volume 2, Page 206, of the Weathersfield Town Proceedings.

(5,825' for
3124/10)

Road J

Starting at point on the west side of U.S. Route 5 opposite the intersection of Town Highway 53, the so-called Ferry Road, then proceeding west and southwesterly to the right-of-way for Interstate 91 as marked by two (2) boundary markers on the eastern boundary of Interstate 91. This right-of-way is presumed to be three (3) rods wide, based upon the right-of-way markers installed by the State of Vermont and is recorded in Volume 2, Page 91-92, of the Weathersfield Town Proceedings.

Old Bow Road

Starting at a point on the east side of Town Highway 51, the so-called Bowen Hill Road, then proceeding east then northeasterly along the roadway now known as Old Bow Road to a point marked by two (2) boundary markers on the west side of Interstate 91. This right-of-way is presumed to be three (3) rods wide, based upon the right-of-way markers installed by the State of Vermont and is recorded in Volume 2, Pages 91 and 92, of the Weathersfield Town Proceedings.

Volume 3, Page 321, D1

Starting at a point on the south side of Town Highway 25, the so-called Maple Street, and proceeding south along what is commonly known as Drumlins Road for a distance of two thousand, nine hundred twenty-one feet (2,921'). This right-of-way is laid out as a pent road and is presumed to be three (3) rods wide as recorded in Volume 3, Page 321, of the Weathersfield Town Proceedings.

Volume 2, Page 90, D2

Starting at a point on the west side of Town Highway 4, the so-called Reservoir Road, opposite the intersection of Town Highway 26, the so-called Cady Hill Road, and proceeding in a southwesterly direction into lands now owned by the United States government for a distance of one thousand, five hundred fifty-one feet (1,551). Said right-of-way is laid out at four (4) rods as recorded in Volume 2, Page 90, of the Weathersfield Town Proceedings.

Volume 2, Page 69

185 ft
S. Mo. 10 ft
4 ft 10 in

Starting at a point on the north side of Town Highway 30, the so-called Beaver Pond Road, where it crosses an unnamed stream that feeds into Beaver Pond and proceeding in a northerly direction paralleling said unnamed stream to the point where the stream crosses Vermont Route 131; then due east along Vermont Route 131 a distance of one hundred seventy-six feet (176'); thence due north continuing to parallel said stream for a distance of two thousand, thirty-six feet (2,036'). Said right-of-way is laid out at four (4) rods as recorded in Volume 2, Page 69, of the Weathersfield Town Proceedings.

Volume 2, Page 99, D2

Starting at a point on the south side of Town Highway 44, the so-called Goulden Ridge Road, opposite the intersection of Town Highway 43, the so-called Pent Road, and proceeding in a southeasterly direction to a point on Town Highway 48, the so-called Yewell Lane, at the place where the outflow from Cooks Pond crosses Town Highway 48. Said right-of-way is laid out at four (4) rods as recorded in Volume 2, Page 99, of the Weathersfield Town Proceedings.

Volume 2, Page 139

Starting at a point at the end of Town Highway 72, the so-called Dake Hill Road, and proceeding due south a distance of three thousand, one hundred nineteen feet (3,119') to the discontinued right-of-way referred to as Blood Brook Road. Said right-of-way is laid out at four (4) rods as recorded in Volume 2, Page 139, of the Weathersfield Town Proceedings.

Crown Point Road

Starting at a point on the Cavendish town line south of Town Highway 32, the so-called Tarbell Hill Road, along what is historically known and marked as the Crown Point Road to a point southerly at the Springfield town line. This road was laid out four (4) rods wide in Volume 1, page 20; Volume 2, Page 88; and Volume 2, Page 95, of the Weathersfield Town Proceedings.

Sketch plans and other supporting documentation are available for review at the Weathersfield Town Offices, Monday through Thursday, during normal working hours or by appointment.

Persons wishing to be heard may do so in person, in writing, or by authorized representation.

Dated at Ascutney, Windsor County, State of Vermont, this fifth day of November, 2009.

Henry C. Cobb, Jr.
Board Clerk

to Rods.
 d South
 sept 15 d
 rod, y west
 then west
 rod, then
 south 28 rods
 where it
 chamberlain

North east
 thirty on
 North 56
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square
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 that the
 silent
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 Clerk

case of
 legening
 east of
 16 d west
 South
 3 rods, then
 sept 12 rods
 east 50 rods
 west 48
 h strikes
 by martin
 east line
 saying

is case of one foregoing zone
 June 17 55 John Boynton
 excepted by Town Elijah Robinson
 Hilthiah Grout
 Recd for Record 6th of Nov. 1786 & Recorded
 me Gerishorn Clark & Clerk

Weatherfield 11th of Feb 1794
 These Certify that Oliver Groat & Orlando
 Groat belong to the Episcopal Church
 Certified by me Nathl Stoughtonwarden
 Recorded March 3 1794 by me
 Gerishorn Clark & Clerk

The Survey of a Road made 22 day of August 1785
 from road Ep. Bennett leading easterly was to
 Joseph Hubbard beginning at a beech tree in the
 road leading from Bennett to Springfield marked
 I H & running South 39 d east 68 Rod, untill it
 comes to the South line of Joseph Prentiss Lot &
 the road laying on the South of P Lot then East
 12 d South 50 Rod, then east 12 d South on the
 line between the 50 acre Lot then South East 3 d
 North 42 Rod, then east 19 d South 56 Rod, then
 east 12 d South on the line between the 50 acre Lot
 194 Rod, then East 1 d North 68 Rod, then east 30 d
 North 88 Rod, y east 20 d North 46 Rod, crossing
 The brook at the tale of the Sawmill then east
 19 d South 22 Rod, then east one d South 28 Rod,
 then South 39 d east 9 Rod then South 12 d east
 30 Rod, to The Bridge then east 39 d South 30 Rod,
 then east 44 d South 143 Rod, y east 2 d North
 100 Rod, to the River bank East of M^r Hubbard
 house — also another Survey of a road leading
 by M^r Noy to Capt Robinson beginning at the
 road east of all crigs & running west two d North

Road "J"

(2)

Side Road, y^m. west 28^{ds} South 32 rods, y^m. westy ds
 North 32 Rod, y^m west 31^{ds} South 28 rods then west 41
~~rod~~ ds South 44 rods, y^m west 38^{ds} South 42 rods, y^m west
 43^{ds} South 100 rods then west 60^{ds} South 64 rods,
 then west 12^{ds} North 218 rods to the county road lead-
 ing by Col Robinsons house &c. - - -
 it is to be remembered that the above road, are
 to be on the South of the foregoing line unless when
 it happens to trace the line between two Lots
 then the line is in the middle of the Road
 excepted by the town
 Recd for record 6th
 of Novemb^r 1786 &
 Recorded by me Gershorn Clark T Clerk

12 Rods
 west 31
 North
 North
 then is
 30 rods
 house
 12^{ds} 20
 east 12
 North
 y^m west
 y^m 42^{ds}
 72^{ds} 3
 across
 42^{ds}
 4 rods
 from
 me
 Recd for
 March
 Recor

here follow the Survey of a Road which begins
 on Springfield North line or Weatherfield South
 line at a stake on P line about forty Rods East
 of the Southwest corner of Lot No 4 in the 4th Divi-
 sion of lots in P Weatherfield & running North 12^{ds}
 east 100^{ds} rods, then Northwest 15^{ds} 82 rods, then north
 20 rods then Northeast 26 rods deg 9 rods, then north
 east 76^{ds} 21 rods, then Northeast 41^{ds} 36 rods, then
 Northeast 44^{ds} 94 rods, then Northeast 32^{ds} 28
 rods, then Northeast 62^{ds} 20 rods, then Northeast
 35^{ds} 30 rods, to a stake & stone, on the east line
 of Lot No 16 in the 4th Division then Northeast
 12^{ds} 37 rods to the Northwest corner of Lot
 No 16 then Northeast 21^{ds} 54 rods on the East
 line of Lot No 22 to the North side of a Road
 leading from ^{32 rods} Galloway from the beginning
 of this road to this place the full breadth of the
 road is on the west or the left & from this place
 forward the road lie on the east or Right then
 Southeast 60^{ds} 23 rods, to the Southeast corner
 of Joseph Chapins Shop then Northeast 25^{ds}
 27 rods then Northwest 14^{ds} 16 rods then north
 8^{ds} 12 rods then Northeast 35^{ds} 14 rods then North
 east 45^{ds} 14 rods then Northeast 28^{ds} 26 rods

A Road
 as the
 of Spr
 in the
 Runi

Dec 192
 annotation

Springfield line to Weatherfield

ROAD J

VOL. 2, PAGE 91-92

Nys to Robinson, 1786

Also another survey of a road leading ... Nys to Capt. Robinson begining at the ^{road} east of M^r Nys & runing west two dr North 44 rods yⁿ west 28 d South 32 rods yⁿ west 9 d North 52 rods yⁿ west 31 d South 20 rods then west 41 d South 44 rods yⁿ west 38 d South 42 rods yⁿ west 45 d South 100 rods then west 60 d South 64 rods then west 12 d North 218 rods to the county road leading by Col Robinsons house & c ----- it is to be remembered that the above roads are to be on the South of the foregoing line unless when it happens to trace the line between two lots then the line is in the middle of the road

excepted by the town

Hilkiah Grout

(Select

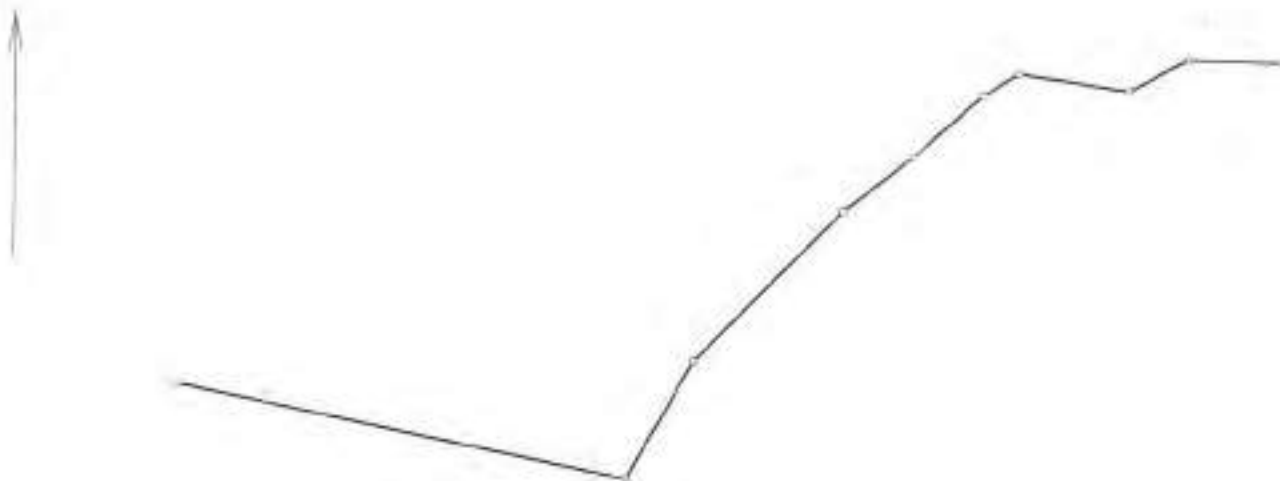
Rec^d for record 6th

Elijah Robinson

(men

of Novemb^r 1786 &

Recorded by me Gershom Clark T Clerk



| | | |
|---|----------------------------|------------------|
| Title: Nys to Robinson; 1786 | | Date: 03-28-2008 |
| Scale: 1 inch = 1500 feet | File: Vol 2 Page 91-92.des | |
| Tract 1: 6.347 Acres: 276475 Sq Feet: Closure = n73.5233e 8982.54 Feet: Precision =1/ 1: Perimeter = 10164 Feet | | |
| 001=n88w 44p | 005=s49w 44p | 009=n78w 218p |
| 002=s62w 32p | 006=s52w 42p | |
| 003=n81w 52p | 007=s45w 100p | |
| 004=s59w 20p | 008=s30w 64p | |

District 2, 4

CERTIFICATE OF HIGHWAY MILEAGE**YEAR ENDING FEBRUARY 10, 2008**MAR 12 2008
Policy & Planning Division

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2008 to:
Vermont Agency of Transportation, Policy and Planning Division, One National Life Drive, Montpelier, VT 05633.

We, the Selectmen or Aldermen or Trustees of WEATHERSFIELD 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 | 14.180 | | | | 0.000 |
| Class 3 | 54.940 | | | | 0.000 |
| State Highway | 31.046 | | | | 0.000 |
| Class 4 | 4.430 | | | | 0.000 |
| Legal Trail | 0.000 | | | | |
| Total | 100.166 | | | | 0.000 |

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

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

No changes incorporated,
May 8, 2008
Sutton/ton

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

2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting)

3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting)

Town Highway 66, Old Bow Road, Class IV to Class III, .71 miles

Town Highway 19, Upper Falls Road Ext., Class IV to Class III, .1 miles

Continued on
back

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]

T/C/V Clerk Signature:

Patricia W. Daniels

Date Filed:

1/17/2008

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

Representative, Agency of Transportation

DATE:

Reclassifications

Town Highway 54, Roberts Road, Class IV to Class III, .1 miles

Town Highway 32, Tarbell Hill Road, Class III to Class II, .9 miles



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

Agency of Transportation

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

March 13, 2008

Chair, Selectboard
Weathersfield, c/o Town Clerk
PO Box 550
Ascutney, VT 05030-0550

Dear Town Clerk and Selectboard:

We have received your 2008 Certificate of Highway Mileage. We are unable to process it as submitted due to the lack of documentation to support the changes noted on the certificate.

New Highway - Drumlin Road

The town needs to supply documentation to show that it followed the process for this change as defined in V.S.A. Title 19 Chapter 7 *Laying Out, Discontinuing and Reclassifying Highways*. Specifically, the documentation needs to address the following questions.

- Was there a site visit?
- Were the abutting landowners notified?
- Was a notice posted in the office of the town clerk?
- Was the planning commission notified?
- Was a notice published in a local newspaper of general circulation in the area not less than ten days before the time set for the site visit?

The town needs to supply a copy of the minutes of the meetings at which the selectboard took action on these changes. We also need a Certificate of Completion and Opening for the new highway. Based on the Certificate of Highway Mileage that was submitted, we are unsure where this highway is located, how much mileage is to be added, or what the classification is. To facilitate the addition of this highway, please forward the documents generated during the laying out process, including a description, survey, and the documents referenced above. It is also helpful to receive a town highway map with the new highway sketched on it.

Reclassified/Remeasured - Class 4 to Class 3 - TH-19, TH-66

These reclassifications are problematic because these town highways do not have any Class 4 sections to them. It is unclear which sections of highway the town wants to reclassify. Based on the information in the VTrans geographic information system (GIS), these roads are classified as private. This may be a case where these highways fit into an ancient road situation, where they are being added to the map for the first time, but have been laid out town highways. If this is the case, please supply the appropriate documentation, similar to the laying out process referred to above in the New Highway - Drumlin Road section of this letter.

Reclassified/Remeasured - Class 4 to Class 3 - TH-54

We don't have enough information to process this change. According to our records, the Class 4 section is 0.15 miles long, but the town noted that it wants to reclassify 0.10 miles. It is not clear which 0.10-mile section the town wants to reclassify. Also, the town needs to supply documentation that it followed the Laying Out, Discontinuing and Reclassifying process as outlined on the previous page.

In order to incorporate the above changes as part of this year's certificate process, we need to receive information in response to the above items by March 21, 2008.

Reclassified/Remeasured - Class 3 to Class 2 - TH-32 (Tarbell Hill Road)

Unfortunately, we are unable to accept the reclassification of TH-32 to Class 2. The process is different for reclassifying a town highway from Class 3 to Class 2, and involves a formal request to the District Transportation Administrator for the reclassification. The section of highway to be reclassified is reviewed and assessed against specific criteria, and accepted or denied by the Secretary of Transportation. The process is detailed in the VTrans Handbook for Local Officials, available at <http://www.aot.state.vt.us/maint/orangebook.htm>.

If you have any questions, please call me at 802-828-2109 or send e-mail to sara.moulton@state.vt.us

Thank you.

Sincerely,

Sara Moulton
Mapping & GIS Specialist

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MORSE Mark E & Virginia M
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Weathersfield
Springfield, VT 05156

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BRUNNER Louis W. & Lotte
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Weathersfield
Springfield, VT 05156

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WATSON Douglas
MILLER Andrea J
26 Muckross Rd
Springfield, VT 05156

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CAPOZZA John & Leslie
19 Overbrook Rd
Vernon, CT 06066

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WRIGHT Jere C & Doris J
P.O. Box 461
Ascutney, VT

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LOGAN Richard M & Carol M
P.O. Box 186
Ascutney, VT 05030-0186

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GRAY Daniel P & Diane L
50 Elm St
Springfield, VT 05156

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| TO: TOWN OF WEATHERSFIELD Planning Commission P.O. Box 550 Ascutney, VT 05030-0550 | |
| FROM: <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee | |
| Printed Name: <u>Landau Alfred L & Roberta A</u> | |
| C. Date of Delivery: <u>10-4-06</u> | |
| Address different from item 1? <input type="checkbox"/> Yes | |
| Delivery address below: <input type="checkbox"/> No | |
| Mail <input type="checkbox"/> Express Mail | |
| Return Receipt for Merchandise <input checked="" type="checkbox"/> | |
| C.O.D. <input type="checkbox"/> | |
| Delivery? (Extra Fee) <input type="checkbox"/> Yes | |
| Instructions: 6702 6664 | |
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| Total Postage & Fees \$ <u>4.64</u> | |
| TO: NEWTON Barry W & Terrie-Louise 1115 Old Bow Rd Weathersfield Springfield, VT 05156 | |
| FROM: <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee | |
| Printed Name: <u>Landau Alfred L & Roberta A</u> | |
| C. Date of Delivery: <u>10/4/06</u> | |
| Address different from item 1? <input type="checkbox"/> Yes | |
| Delivery address below: <input type="checkbox"/> No | |
| Mail <input type="checkbox"/> Express Mail | |
| Return Receipt for Merchandise <input checked="" type="checkbox"/> | |
| C.O.D. <input type="checkbox"/> | |
| Delivery? (Extra Fee) <input type="checkbox"/> Yes | |
| Instructions: 6702 6725 | |
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| Certified Fee <u>2.40</u> | |
| Return Receipt Fee (Endorsement Required) <u>1.85</u> | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees \$ <u>4.64</u> | |
| TO: LANDAU Alfred L & Roberta A 562 Old Bow Rd Weathersfield Springfield, VT 05156 | |
| FROM: <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee | |
| Printed Name: <u>Landau Alfred L & Roberta A</u> | |
| C. Date of Delivery: <u>10-4-06</u> | |
| Address different from item 1? <input type="checkbox"/> Yes | |
| Delivery address below: <input type="checkbox"/> No | |
| Mail <input type="checkbox"/> Express Mail | |
| Return Receipt for Merchandise <input checked="" type="checkbox"/> | |
| C.O.D. <input type="checkbox"/> | |
| Delivery? (Extra Fee) <input type="checkbox"/> Yes | |
| Instructions: 6702 6763 | |
| PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540 | |

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| U.S. Postal Service TM CERTIFIED MAILTM RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) | |
| For delivery information visit our website at www.usps.com . | |
| OFFICIAL USE | |
| Postage \$ <u>0.39</u> | Postmark Here OCT - 3 2006 05030-5940 |
| Certified Fee <u>2.40</u> | |
| Return Receipt Fee (Endorsement Required) <u>1.85</u> | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees \$ <u>4.64</u> | |
| TO: SIMON Mindy J 11 Treeview Dr Melville, NY 11747 | |
| FROM: <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee | |
| Printed Name: <u>Landau Alfred L & Roberta A</u> | |
| C. Date of Delivery: <u>10-4-06</u> | |
| Address different from item 1? <input type="checkbox"/> Yes | |
| Delivery address below: <input type="checkbox"/> No | |
| Mail <input type="checkbox"/> Express Mail | |
| Return Receipt for Merchandise <input checked="" type="checkbox"/> | |
| C.O.D. <input type="checkbox"/> | |
| Delivery? (Extra Fee) <input type="checkbox"/> Yes | |
| Instructions: 6702 6701 | |
| PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540 | |

Public Hearing
Old Bow Road, Hwy 66
Minutes
November 4, 2006

Present: Henry C. Cobb
Patricia Daniels
Daniel Boyer
Norman John Arrison

Others Present: Larry Melen, Town Manager
Wes Hazeltine, Road Superintendent
Lisa Sargent, Recording Secretary
Barry Newton
Terrie-Louise Newton
John Capozza
Doris Wright
Jere Wright
Larry Brunner
Karen M. Brunner
Lotto F. Brunner
Rick Logan
Carol Logan
Maria Dudanowicz
Antoni Dudanowicz
Andrea J. Miller
Sheldon Simon
Mindy Simon

Present at inspection but not present during meeting: Aaron Wheeler and Joe Lloyd

Mr. Cobb called the meeting to order at 10:10 a.m. at Martin Memorial Hall. This meeting followed the site inspection at Old Bow Road that began at 9:00 a.m.

Mr. Melen read the public hearing notice that was published. He said it was posted at Martin Memorial Hall, Ascutey Post Office, Perkinsville Post Office, Proctor Library, Downers Store and in the Eagle Times. Abutting property owners received the notice via certified/return receipt mail.

Mr. Melen said that in September the Select Board previously moved to accept this as an existing Town highway and to move forward with a site visit and public hearing. He said this hearing is to classify the road. The classifications are: I: State Highway maintained by the Town, II: Highway connecting two towns, III: All other traveled roads other than a Class I or II and IV all others not a Class I, II or III. Class IV has no standards of maintenance other than the Town maintains bridges and culverts.

Mr. Cobb said the town has received a letter submitted by Mrs. Wright and signed by twenty-one people on Old Bow Road.

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THANK YOU

*John L. Melen
Town Manager*

Mr. Logan said there are only three year round residences on the section of road that is currently maintained by the Town and there are seven year round residences on the part that is not maintained and he feels this is a safety issue.

Mr. Newton said he would give an easement to the Town to turn around on his property since he is the last residence on the road.

Mrs. Newton said this road is not passable with a regular vehicle during mud season or the wintertime. She said she is concerned about public safety for the residents on the part of the road that is not maintained.

Mr. Newton explained a situation when a large tree fell that was on a power line and the power company took over twenty-four hours to respond. Mr. Cobb explained that is CVPS's problem, our emergency services can not touch live wires.

Mrs. Logan said she agreed that was a problem with CVPS. She said some residents bought a culvert and put in stone to make one section better during mud season and feels that is what needs to be done with the other bad spot. She said mud on the spot that has been worked on is no worse than some other roads in Town.

Mr. Arrison asked Mr. Hazeltine if the road is currently maintainable, Mr. Hazeltine said no it needs work in order for the grader and plow trucks to go over it. Mr. Arrison said that in the past the Town has required roads to be brought up to spec before the Town will start to maintain them. Mr. Cobb said there seems there are just a few problem spots on this road. Mr. Hazeltine said you need to ditch on the right hand side going down and take out some material to get the water out of the road. Mr. Cobb asked how much it would cost to do that. Mr. Hazeltine said he would have to hire a contractor with an excavator and assumes it would be about \$6,000.

Mr. Dudanowicz asked why it would be so expensive and who owns the equipment? Mr. Melen said we own some equipment but we do not own an excavator and the ditch couldn't be dug out properly with the backhoe.

Mr. Dudanowicz said he has been to the Town before regarding issues with the road and feels like residents on that road are treated differently. He said they pay taxes to the Town like other residents and should be treated the same.

Mr. Melen explained that the road does not appear on any state map and therefore it is not in our records.

Mr. Brunner said he is the longest term resident on the section of the road that is not maintained and it was maintained until the early 1990's. He said he talked to the Town Manager at that time and he was assured the Town would grade and plow to his driveway but it hasn't been graded for about fifteen years now. He said when the Town graded the road there were not the mud issues they have had recently.

Mr. Arrison made the motion to determine Highway 66, Old Bow Road, a provisional Class III road until Barry Newton's residence and then a Class IV road until the end, Mr. Boyer seconded the motion.

Mr. Cobb asked what provisional means. Mr. Arrison said today is November 4th and there is not much time to work on the road before winter but this is a starting point for the Town to take over the road. Mr. Cobb asked Mr. Hazeltine if he could run the grader through there. Mr. Hazeltine said you can't make it wider, need to be careful not to bring water into the road, need to do some ditch work first.

Mrs. Wright asked why end at Mr. Newton's house? Mr. Arrison said like he said earlier, some residents have been required to bring the road up to Town spec's before we

maintain it and that is what could happen to the remainder of the road. Mr. Boyer referred to this happening on Carly Road.

Mr. Melen said this road does not connect to something, it is a dead end road so it does not need to be Class III. Mr. Cobb asked again what provisional means. Mr. Melen said the highway does not currently meet Class III specs but the Town will bring up to spec's within five years.

Mr. Cobb said the objective of taking over this road is not to make it 22' wide, it is to make it passable for passenger vehicles and emergency vehicles to get in and out.

Ms. Miller asked who was responsible for the cost over the next five years while doing the improvements, Mr. Cobb said the Town.

Motion carried 4 – 0.

Mr. Cobb asked Mr. Hazeltine given his work load and available funds what he can do to this road this year. Mr. Hazeltine said he will try and do some ditch work and put some gravel on it.

Mr. Arrison asked what usually plows this road, Mr. Hazeltine said he would use the grader.

Mr. Cobb confirmed Mr. Hazeltine would do some minimal ditch work, put some gravel down and grade it before winter.

Mr. Arrison mentioned we might not be able to help with the mud season this year. Mr. Hazeltine said that is a valuable point; we may not be able to get on that road as the trucks weigh a lot more than passenger vehicles.

Mr. Melen asked Mr. Hazeltine if this was a safety issue for the employees, Mr. Hazeltine said no more than it is for residents now but if he is going to plow the road it needs some maintenance before snow.

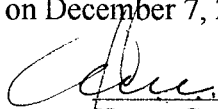
Mr. Boyer made the motion to provide winter maintenance for the provisional Class III section this year. Mrs. Daniels seconded the motion, which passed without dissent.

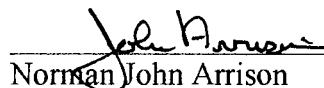
Mrs. Daniels made the motion to close the Public Hearing. Mr. Boyer seconded the motion, which passed without dissent. The Public Hearing was closed at 11:25 a.m.

Respectfully Submitted,

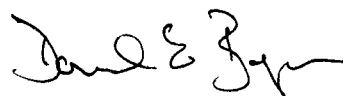
Lisa A. Sargent

Approved by the Weathersfield Select Board on December 7, 2006


Henry C. Cobb


Norman John Arrison

Patricia Daniels



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JAN 11 2007

Weathersfield Select Board
Minutes
September 7, 2006

Present: Henry C. Cobb
Daniel Boyer
C. Peter Cole
Norman John Arrison
Patricia Daniels

Others Present: Larry Melen, Town Manager
Lisa Sargent, Recording Secretary
Edith Stillson
Deb Mithoefer
Doris Wright
Jere Wright
John Capozza
Rick Lowan
Barry Newton
Lotte F. Brunner
Larry F. Brunner
William Blake
Mario Bevacqua
Gary Cross
Carol M. Logan
deForest Bearse
Ernest Shand

1. Call to Order by Chairperson: Mr. Cobb called the meeting of the Select Board to order at 7:02 p.m. at the Martin Memorial Hall.
2. Comments from Citizens: None
3. Review Minutes from Previous Meeting (s): **Mr. Boyer made the motion to approve the minutes dated August 24, 2006, Mrs. Daniels seconded the motion.** Mrs. Daniels noted corrections. **Motion carried unanimously.**
4. Highway
 - A. Surveyor's report on Status of Old Bow Road from Debra Mithoefer, Daniels Survey, P.C.: Mr. Melen said he inquired with Vermont League of Cities and Towns to see if this needed to be a "formal process" and was told it was not required to have a Public Hearing at this time.

Ms. Mithoefer gave a short review of the conclusions found in her report dated July 26, 2006, which all Board members have a copy of. She said there are errors of confusion on the Town road numbers. She said there are three town roads she researched, T.H. #66 (Old Bow Road), untraveled T.H. #67 and T.H. #67 (also known as

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Handwritten signature and initials

Old Bow Road). Ms. Mithoefer said that in 1964 the State of Vermont acquired by condemnation from the Town of Weathersfield a portion of T.H. #67 for the purpose of constructing the Interstate. Ms. Mithoefer found that in 1931 the Town of Weathersfield asked for State aid to maintain 1/10th of a mile, in 1947 they asked for more aid for an additional 2/10ths of a mile and in 1974 the Town asked for aid for 6/10ths of a mile. If you measure from the center of Bowen Hill Road westerly and southerly it equals the one-mile of road.

Ms. Mithoefer said that in 1964 the State and Town agreed it was a Town road and she finds nothing indicating the road was ever discontinued.

Ms. Wright asked if the Board would move forward with classification of Old Bow Road and presented the Board with a written request to do so (with signatures of abutting landowners).

Mr. Cobb said he would ask the Highway Committee to look at this report and give the Select Board their recommendation.

Ms. Wright said from mid 1980's until the 1990's the Town maintained the road and then they suddenly stopped. Ms Wright asked the time frame we would be looking at. Mr. Melen said the classification requires a Public Hearing, which requires a 30-day notice, it looks like it would be the beginning or mid November. Ms. Wright asked if the Town agreed it was going to be re-classified if they could at least grade it before winter arrived, Mr. Cobb said that is a good possibility.

Skipped ahead to item #10 a.

10. New Business

A. School Consolidation 2006: Mr. Bevacqua gave a preview of work that has been done since November, 2003. He said the School Board asked to create a School Improvement Committee, which was done, and two formal meetings were held. He said the options were to consolidate at the Middle School, consolidate at the Elementary School or search for a new site. The decision was made it would be beneficial to consolidate at the Middle School. He said the next committee started was a School Construction Committee and they started working in late May. He said they reviewed architect plans and have investigated a wood chip heating system. They have a meeting with the State in Montpelier on Monday to present their plans. Mr. Bevacqua said there will be power point presentations for the Towns people on September 25, September 30 and October 16.

Mr. Bevacqua said because we are consolidating two schools we will be eligible for 50% State aid and may be eligible for 90% aid for the wood chip system. He said twenty-two of the twenty-seven schools using the wood chip system have saved up to 47% of fuel bills. He said another fifteen schools are currently applying for the system.

Mr. Cole asked if they had looked at the water and sewer implications. Mr. Bevacqua said Country Estates told them the water is ok and they have room to install an in ground system if needed for sewer. The Board asked Mr. Bevacqua to be careful about water and sewer and be sure the information they have is correct. Mr. Melen said if they need names of a Bond Attorney to let him know and he would get them a list.

Skipped ahead to item 10 d.

10. New Business

D. Land Use Department application for Municipal Planning Grant: Mrs. Bearse said she would like to apply for a Municipal Planning Grant for 2007 which would be used to hire a consultant to look at development and impacts on the Town. She said this would be for a study around the Exit 8 area. Mrs. Bearse said she has the application almost completed and wanted to let the Board know she is working on it. The consensus of the Board was to finish the application.

Back to item 5.

5. Board of Liquor Commissioners

A. Suspension of Tobacco License Petro Stores, Inc. Mr. Melen said their license was suspended for failure to complete the required education process but this was recently rescinded so this is for informational purposes only.

6. Fire Commission

Mr. Boyer gave Mr. Melen a check for \$500 from Ascutney Volunteer Fire Department for the HazMat fund.

Mr. Boyer said West Weathersfield wants to do a coin drop and in order to do so Vtrans requires the Select Board to authorize Chief Brown to sign the application. **Mr. Boyer made the motion to approve the application for a coin drop on October 7, 2006 on Route 106 by the intersection of Route 131 and have Chief Brown sign it indicating it will not create unnecessary traffic or safety hazards, Mr. Cole seconded the motion.** Mr. Cobb said with it being a mandatory stop on Route 131 he feels Route 131 would be safer. It was discussed Route 106 is actually more safe because of the visibility. Mrs. Daniels said she feels it should not be where it is a mandatory stop because people would feel they have to stop for the coin drop. Mr. Arrison asked they contact area businesses. **Motion carried unanimously.**

Dispatch Contract with Town of Windsor: Mr. Boyer said the Fire Commission does not agree with the contract as written. Mr. Melen said neither does he and he has sent a letter to Windsor with a number of questions. A few concerns are there is no severance language, it does not mention dispatch for the ambulance, it does not clearly indicate the fee etc. Mr. Melen said this will be on the agenda again.

7. Highway

A. Riley Drive, Stormwater Drainage Status: Mr. Melen said there is no update on this.

B. Meadow Lane, Highway Committee Report: Mr. Arrison said the Highway Committee met and looked this location. They recommend that the Town does not take over the section of road that Mr. Kudlinski has asked us to. The main concern is the degree of slope. **Mr. Arrison made the motion that a letter is sent from the Town Manger to Mr. Kudlinski denying his request, Mr. Cole seconded the motion which passed without dissent.**

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10:00 AM

8. Monthly Reports (reports shared with the Board, no discussions)

- A. Constable
- B. Highway
- C. Land Use
- D. Police

9. Old Business

A: Animal Control Ordinance Revisions: Mr. Melen said the Town Counsel is still reviewing these.

B. Town-Wide Revaluation Contract Proposal: Mr. Melen said draft #1 is in the Boards packet, draft #2 has been started.

10. New Business

- A. Discussed previously

B. Appoint Voting Delegates VLCT Annual Business Meeting: Mr. Melen reminded everyone the Town Office would be closed on October 5, 2006 for the annual VLCT Town Fair. **Mr. Arrison made the motion to appoint Mr. Melen as the voting delegate for the meeting. Mr. Cole seconded the motion, which passed without dissent.**

C. Request for Reimbursement for Loss of Livestock: **Mr. Boyer made the motion to reimburse Ms. Celia Arrison \$20 to be taken out of the dog license fees for the two chickens killed by an unknown dog. Mrs. Daniels seconded the motion, which passed 4 – 1 (one abstention).**

- D. Land Use Department: Discussed previously

- E. Appointments:

1. Deputy Health Officer: **Mr. Arrison made the motion to recommend the appointment of Mrs. Lynn Esty as Deputy Health Officer. Mr. Boyer seconded the motion, which passed unanimously.**

Mr. Cobb noted the Weathersfield Memorial Committee was discussing locating the memorial in the area of the Salmon Bridge however, since the Salmon Bridge Committee is opposed to this that location will no longer be considered.

11. Sign Treasurer's Warrants: **Mr. Arrison made the motion to approve the Treasurer's Reports as follows:**

| | |
|--|---------------------|
| General Fund Payroll | \$ 15,716.24 |
| General Fund Operating Expense | \$831,781.79 |
| Highway Fund Payroll | \$ 13,874.33 |
| Highway Fund Operating Expense | \$ 8,540.05 |
| Solid Waste Management Fund Payroll | \$ 1,952.70 |
| Solid Waste Management Fund Operating Expense | \$ 1,885.16 |
| Agency Funds | \$ 494.00 |

Mrs. Daniels seconded the motion. Mr. Melen said the General Fund is high because the school quarterly payment is in there. Mr. Cobb asked what the Accuvote was, Mr. Melen said it is software for the voting program. Mrs. Daniels asked if we could bill the owner of Bear for the cost associated with him, it was the consensus of the Board to send Mr. Metcalf a bill for the expenses. **Motion carried unanimously.**

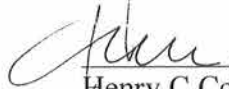
12. Next Meeting's Agenda Items: Old Bow Road, dispatch contract, animal ordinance, Riley Drive, Municipal Planning Grant, Evaluation Contract, Cady Hill (billing landowner for damage).

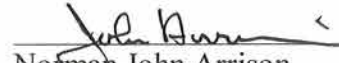
13. Adjourn: **Mr. Arrison made the motion to adjourn, Mr. Boyer seconded the motion, which passed without dissent.** The Weathersfield Select Board meeting was adjourned at 9:34 p.m.

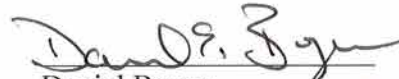
Respectfully Submitted,

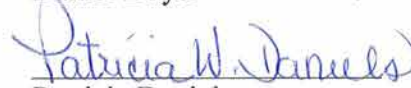
Lisa Sargent

Approved by the Weathersfield Select Board on September 21, 2006


Henry C Cobb


Norman John Arrison


Daniel Boyer


Patricia Daniels

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Appendix

Agenda Items to be discuss:

Visit from Michael Smith (carried forward from August 24, 2006)
Fire District letter (carried forward from August 24, 2006)
Old Bow Road
Dispatch contract
Animal ordinance
Riley Drive
Municipal Planning Grant
Evaluation Contract
Cady Hill
WWVFD replacement hydrant

Weathersfield Select Board
Minutes
September 21, 2006

Present: Henry C. Cobb
Norman John Arrison
Daniel Boyer
Patricia Daniels

Others Present: Larry Melen, Town Manager
Lisa Sargent, Recording Secretary
Edith Stillson
Ernest Shand
Betty Brooks
Rodney Brooks
Barry Newton
Julia Lloyd Wright, Eagle Times
DeForest Bearse
Jere Wright
Doris Wright
Will Hepworth
Larry Brunner
Carol Logan
Rick Logan
Peter Daniels
Wes Hazeltine, Highway Superintendent

1. Call to Order by Chairperson: Mr. Cobb called the meeting of the Weathersfield Select Board to order at the Bow Baptist Church on September 21, 2006 at 7:00 p.m.

2. 7:00 P.M. Public Hearing Proposed Amendments to the Interim Zoning Bylaws: Mr. Cobb called the Public Hearing to order, Mr. Melen read the Public Hearing notice for the record.

Mrs. Bearse said the purpose of the amendments is to establish the regulatory review process for public facilities and to establish where in the town they will be allowed to locate.

Mr. Arrison made the motion to approve the Proposed Amendments to the Interim Zoning Bylaws as presented. Mr. Boyer seconded the motion, which passed without dissent.

Mr. Cobb closed the Public Hearing.

3. Comments from Citizens: Mr. Newton said on Saturday, September 30th at 8:00 am VINS is looking for volunteers to help move a flight cage from Woodstock to Quechee and anyone who would like more information to please contact him.

Julia Lloyd Wright asked that anyone interested in helping on the Ancient Road project to leave your name at the Town office, as meetings will be starting soon.

Mr. Shand said there would be an Auction on October 21, 2006 behind the Ascutney Union Church and Martin Memorial Hall to benefit the Veterans Memorial Monument. Preview will be from 9:00 am – 10:00 am with the auction starting at 10:00 am. Mr. Cobb said auction items as well as volunteers are needed.

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OCT 23 2006

Town Clerk

Handwritten signature and notes:
J. Melen
Town Clerk

Mrs. Daniels said she has been approached by a few people that there is an old mobile home located behind the Bow Baptist Church and she believes it is on Town property. Mr. Melen said he walked out there this evening and yes, it is in the Town Highway right-of-way. The consensus of the Board is to work this back to see who the owner of the mobile home is and how it got there so it can be removed.

4. Review Minutes from Previous Meeting (s): **Mr. Boyer made the motion to accept the minutes dated September 7, 2006, Mr. Arrison seconded the motion.** Mrs. Daniels noted one correction. **Motion carried unanimously.**

5. Highway

A. Old Bow Road Highway Committee Report: Mr. Arrison said the Highway Committee met on September 18, 2006 on Old Bow Road and looked at the problem spots and discussed the survey. The Town Highway Committee recommends to accept the report prepared by Daniels Survey dated July 26, 2006 and to schedule a public hearing to reclassify the road.

Mrs. Daniels made the motion to accept the report prepared by Daniels Survey dated July 26, 2006 and the finding that Old Bow Road a Town highway from the end of the current Town Highway 66, to the western boundary of Interstate 91. Mr. Boyer seconded the motion, which passed without dissent.

Mrs. Daniels made the motion to schedule a site inspection and public hearing for Saturday November 4, 2006 at 9:00 am for the purpose of classifying the roadway now known as Old Bow Road, from a point .61 miles from the intersection with Town Highway 51 (Bowen Hill Road) going easterly approximately .70 to the boundary of the Interstate 91 right-of-way, as a Class 4 Town Highway pursuant to 19 VSA 302. Mr. Arrison seconded the motion, which passed without dissent.

Mrs. Wright asked if this meant the Town could grade the road now. The Board explained the public hearing has to be held first and a decision has to be made by the Board as to the classification of the road before the Town could grade the road.

B. Stoughton Pond Road Storm Drain Project: Mr. Hazeltine said the drain is in and there is only a little work left to be done. Mr. Arrison said he went by yesterday and it looks good. Mr. Arrison said he saw Mr. Butler out there and he is "relieved" it is in and it went well.

C. Riley Drive Storm Water Drainage System: Mr. Melen said we have received the report from Vermont Department of Environmental Conservation and there is no maintenance needed at this time. He said they would be letting us know about permitting. Mr. Arrison questioned who was responsible for this and Mr. Melen said that he believes when Steve Smith deeded us the land we may have acquired the permit with it.

D. Murray Flats: Mr. Peter Daniels said he believes we will need a stream alteration permit to remove the current hydrant. Mr. Boyer said the Fire Commission said we might be able to put a hydrant on the other side of the bridge. It was decided to have Mr. Hazeltine call for a permit to remove the hydrant as soon as possible before any damage is done.

E. Cady Hill Road: Mr. Melen has typed a letter to the landowner and the letter and copies of bills have been sent to him.

Mr. Arrison asked the status on the dump truck bid, Mr. Melen said the bid request is not finished yet. Mr. Arrison said he is concerned the bids are not out yet and asked this to be looked at soon.

6. Monthly Reports

General Fund: Mr. Melen said we are in good shape

Highway Fund: Mr. Melen said we are below target (prior to Stoughton Pond Road)

Solid Waste Fund: Mr. Melen said we are below target

Mr. Melen said we are where we should be for this time of year and our cash flow is in very good shape. Mr. Hazeltine said we received a \$1,100 check for scrap metal, Mr. Cobb encouraged the public to bring their scrap metal to the recycling center.

7. Old Business

A. Animal Control Ordinance Revisions: Mr. Melen said the recommendation is to delete the seven-day re-appeal period. It was the consensus of the Board to remove that wording and present a draft at the next meeting.

B. Town-Wide Revaluation Contract Proposal: Mr. Melen asked to discuss this in executive session under contract negotiations.

C. Land Use Department Application for Municipal Planning Grant to Fund Interchange Master Plan: Mr. Melen read the Resolution for Municipal Planning Grant and said this needs to be approved and signed by the Select Board in order to apply for the grant.

Mr. Arrison made the motion to approve the Resolution for Municipal Planning Grant as presented. Mrs. Daniels seconded the motion, which passed unanimously.

D. Ascutney Fire District Letter: Mr. Melen said the sample of the letter is enclosed for the Board, he said that we still need to work on whom will receive the letter. Mr. Cobb asked to include information about the well head area. Mr. Arrison recommended doing only one mailing; we should include the date of the meeting in the first letter mailed. Mr. Cobb asked to include in the letter what is expected of the ratepayers. Mr. Melen said he has information from Rural Water Association and may be able to make a hand out from that information.

Mr. Shand asked who qualifies as a ratepayer. Mr. Melen said ratepayers are individuals from the Village north to the Town of Windsor town line, south to Wilgus State Park west to the I-91 corridor and east to the Connecticut River.

E. Tenney Hill Logging Access Agreement: Mr. Melen said he talked with Mr. Norton and they will meet in a week at the Tenney Hill property. He said the State has abandoned the idea to use the existing roadway but they are still in the process of doing the project and using a different route out of the area.

F. Fire Commission Dispatch Contract with Town of Windsor: Mr. Melen said he and Mr. Boyer met with Windsor Select Board and they are still working on the next contract. Mr. Melen said we received the invoices for last year and he recommends paying the per call fee at this time but not the contract fee. The consensus of the Board is ok to pay the per call fee.

Mr. Melen noted the easements for the dry hydrants are out.

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Town Clerk

8. Notice of Vacancy

Representative to the Mt. Ascutney Subcommittee of the Connecticut River Joint Commissions: Mr. Melen said we received a letter from Steve Walasewicz and he wanted to mention that we still do not have a active representative to the Mt. Ascutney Subcommittee of the Connecticut River Joint Commissions. The Board said they will try and think of someone to fill this position.

9. Sign Treasurer's Warrants: **Mr. Arrison made the motion to approve the Treasurer's Reports as follows:**

| | |
|--|--------------------|
| General Fund Payroll | \$13,416.66 |
| General Fund Operating Expense | \$20,552.75 |
| Highway Fund Payroll | \$13,316.29 |
| Highway Fund Operating Expense | \$40,948.60 |
| Solid Waste Management Fund Payroll | \$ 1,639.05 |
| Solid Waste Management Fund Operating Expense | \$14,165.41 |

Mrs. Daniels seconded the motion, which passed without dissent.

10. Executive Session: **Mr. Arrison made the motion to go into executive session to discuss contract negotiations and real estate. Mrs. Daniels seconded the motion, which passed without dissent.**

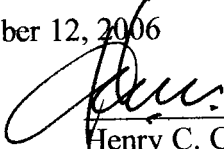
11. Next Meeting's Agenda Items:

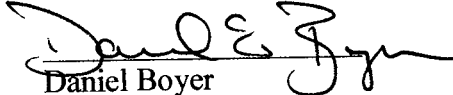
12: Adjourn: The Select Board came out of executive session at 9:16 p.m. **Mr. Boyer made the motion to adjourn. Mr. Arrison seconded the motion, which passed without dissent.** The Select Board meeting was adjourned at 9:17 p.m. on September 21, 2006.

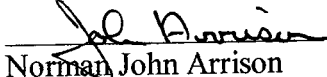
Respectfully Submitted,

Lisa Sargent

Approved by the Weathersfield Select Board on October 12, 2006


Henry C. Cobb


Daniel Boyer


Norman John Arrison

Patricia Daniels

We the undersigned, request from the Select Board for the Town of Weathersfield, Vermont to have the remainder of Old Bow Road classified as a Class 3 town highway. With this, we want it to be sufficient surface and base, adequate drainage, and sufficient width capable to provide winter maintenance.

On November 4, 2006 we would like the following considered while performing the site inspection at the end of the current Class 3 section of Old Bow Road (Town Highway 66).

- 1 Public safety.
- 2 Ingress and egress of emergency personal and their equipment.
- 3 Hazardous conditions. Propane and oil trucks getting stuck with no other alternatives to vacate
- 4 Ability to receive heating, electric services, deliveries and packages from public services such as UPS, DHL, FedEx, WIC etc. at all times of the year.
- 5 Number of residents with health concerns that need access in emergency situations.
- 6 Residents with young and school age children.
- 7 Amount of employed residents needing access to report to work.
- 8 Amount of resident's (8) not maintained versus 5 maintained on the class III portion.
- 9 Greater amount of tax revenue from 8 houses.
- 10 Currently there are (19) residential lots that are accessed by the class 3 portion of Old Bow Road.
- 11 On September 21, 2006 the Select Board accepted a report prepared by Daniels Survey, dated July 26th, 2006 with the findings that the remainder of Old Bow Road is a Town Highway.
- 12 In 1964, the Town of Weathersfield was compensated the sum of \$760.00 dollars from the State of Vermont (recorded; WLR BK. 40 PG. 467) for the purpose to improve the remainder (non-maintained) section of Old Bow Road for the benefit of local traffic.

1. Donis Wright
1080 Old Bow Rd.
2. Jan Wyl
1080 Old Bow Rd.
3. Chris Villanueva
1080 Old Bow Rd.
4. Terese-Luise Newton
1115 Old Bow Rd
5. Barry W. ~~Newton~~
1115 Old Bow Rd
6. Karen M. Brunner
809 Old Bow Rd
7. Larry F. Brunner
809 Old Bow Rd
8. Stephanie Brunner
~~Stephanie Brunner~~
809 Old Bow Rd
9. Louis W. Brunner
809 Old Bow Rd.
10. ~~Larry F. Brunner~~
809 Old Bow Rd
11. Carol M. Logan
724 Old Bow Rd.
12. Rick Logan
724 Old Bow Road.
13. Joe Lloyd
824 Old Bow Rd
14. Joe Lloyd
824 Old Bow Rd.
15. Andrea J. Miller
657 Old Bow Rd
16. Pff ~~W~~
657 Old Bow Rd

We, Antoni & Maria Dudanowicz request to the Select Board for the Town of Weathersfield that this signed letter act as our presence on November 4, 2006 at the site inspection at the end of the current Class III section of Town Highway 66.

Also, we request that our signature be included in the total amount of residents requesting for a Class III Town Highway for the remainder of Old Bow Road.

Respectfully,

Antoni Dudanowicz
Maria Dudanowicz

Antoni Dudanowicz
Maria Dudanowicz
991 Old Bow Road
Weathersfield, VT

TOWN OF WEATHERSFIELD, VERMONT

NOTICE OF PUBLIC HEARING

Pursuant to the requirements of Title 19, Section 709, of the Vermont Statutes Annotated, the Select Board for the Town of Weathersfield, Vermont, will conduct a public hearing starting at 9:00 o'clock, A.M., on Saturday, the fourth day of November, at Martin Memorial Hall, located at 5259 Route 5 in Ascutney, to consider a proposal to reclassify a Town highway as follows:

Being a portion of that part of Town Highway 66, commonly known as Old Bow Road, situated east of Town Highway 51, Bowen Hill Road, and west of Interstate 91 and being that portion of Town Highway 66, so called, situated easterly of the present terminus of the Class 3 portion of said Town highway and continuing easterly and northerly to the westerly highway line of Interstate 91.

The centerline of that portion of Town Highway 66, so called, to be reclassified, is more particularly described as follows:

Beginning at an unmarked point in the easterly terminus of the Class 3 portion of Town Highway 66, said point marking the easterly terminus of the center line of the Class 3 portion of Town Highway 66, so called, and the beginning of the center line of that portion of Town Highway 66 to be reclassified;

Thence easterly a distance of 0.33 miles, more or less, by and along the center line of the existing Town highway to an unmarked point at the intersection of two (2) roads;

Thence northeasterly and northerly a distance of 0.38 miles, more or less, by and along the center line of the existing Town highway to an unmarked point on the easterly terminus of Town Highway 66, so called, said unmarked point is situated equidistant between two (2) State of Vermont concrete posts recovered on the westerly highway line of Interstate 91, said concrete posts mark the northerly and southerly terminus of Town Highway 66, so called.

Town Highway 66 is a three (3) rod wide Town highway.

The Board proposes to classify this section of Town highway, which is not currently classified, to Class IV in accordance with 19 V.S.A. 302 (a) (4).

The hearing will commence with a site inspection at the end of the current Class III section of Town Highway 66 starting at 9:00 A.M., followed immediately thereafter by the public hearing at Martin Memorial Hall.

Persons wishing to review the documents pertaining to this proposal may do so at the Weathersfield Town Offices, in Ascutney.

Persons wishing to comment or give evidence regarding the proposal may do so in person during the hearing, or by filing their comments, in writing, prior to the hearing.

Dated at Weathersfield, this twenty-first day of September, 2006.

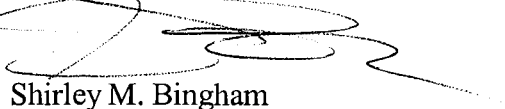
Henry C. Cobb, Jr.
Chairperson

On Tuesday, October 3rd, 2006, I posted a *Notice of Public Hearing* for November 4th to consider a proposal to reclassify a Town Highway (Old Bow Road) at the following locations:

Town Office
Ascutney Post Office
Perkinsville Post Office
Proctor Library
Downer's Store.

On this date I also mailed the *Notice of Public Hearing* by United States Postal Service (Certified Return Receipt) to the attached list of abutters to Old Bow Road...

Respectfully submitted,



Shirley M. Bingham

BETZNER Donald J & Angela M
P.O. Box 447
Guilford, CT 06437

BLAKE William J IV & Irma D
96 Old Bow Rd
Weathersfield
Springfield, VT 05156

BRAGINETZ Thomas & Elizabeth J
P.O. Box 395
Meriden, NH 03770-0395

BRUNNER Louis W. & Lotte
1302 Gird Lot Rd
Weathersfield
Springfield, VT 05156

CAPOZZA John & Leslie
19 Overbrook Rd
Vernon, CT 06066

CAPOZZA John & Leslie J
58 Laurel Ln
Marlborough, CT 06447

DUDANOWICZ Antoni & Maria
225 Monroe St
New Britain, CT 06052

FIEDLER Jeffrey S & Cheryl L
142 Cider Mill Rd
Flemington, NJ 08822

GRAY Daniel P & Diane L
50 Elm St
Springfield, VT 05156

HYDE Daniel F & Robbin
8 Radcliff Rd
Mashpee, MA 02649

LANDAU Alfred L & Roberta A
562 Old Bow Rd
Weathersfield
Springfield, VT 05156

LLOYD Joseph & Johanna
824 Old Bow Rd
Weathersfield
Springfield, VT 05156

LOGAN Richard M & Carol M
P.O. Box 186
Ascutney, VT 05030-0186

MORSE Mark E & Virginia M
609 Old Bow Rd
Weathersfield
Springfield, VT 05156

NEWTON Barry W & Terrie-Louise
1115 Old Bow Rd
Weathersfield
Springfield, VT 05156

PAK CONSTRUCTION INC
386 Breezy Hill Rd
Springfield, VT 05156

SIMON Mindy J
11 Treeview Dr
Melville, NY 11747

WATSON Douglas
MILLER Andrea J
26 Muckcross Rd
Springfield, VT 05156

WHEELER Aaron
P.O. Box 225
Perkinsville, VT 05151-0225

WRIGHT Jere C & Doris J
P.O. Box 461
Ascutney, VT

WUNSCH Sarah
77 Brook St
Brookline, MA 02445

TOWN OF WEATHERSFIELD
Planning Commission
P.O. Box 550
Ascutney, VT 05030-0550

EAGLE TIMES - Advertising, 02:03 PM 10/3/2006, Request for Publication

To: EAGLE TIMES - Advertising
From: "Larry J. Melen" <townmgr@weathersfield.org>
Subject: Request for Publication
Cc:
Bcc:
Attached: T:\Highways\Old Bow Road\Hearing_Notice.doc;

Please publish the attached "Notice of Public Hearing" in your newspaper on Thursday, 19 October, and again on Friday, 03 November 2006.

This "Notice" should appear in display format.

Please acknowledge receipt of this transmission.

Larry J. Melen, Weathersfield Town Manager
Telephone: [802] 674-2626
Fascimile: [802] 674-2117
Website: <http://www.weathersfield.org>

NOTICE:

THIS TRANSMITTAL IS INTENDED ONLY FOR THE USE OF AND BY THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW.

IF THE READER OF THIS TRANSMITTAL IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE TRANSMITTAL TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED.

IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THIS OFFICE IMMEDIATELY.

Subject: FW: Request for Publication
Date: Thu, 5 Oct 2006 13:35:01 -0400
X-MS-Has-Attach: yes
X-MS-TNEF-Correlator:
Thread-Topic: Request for Publication
Thread-Index: AcbnFjV9Jk1ictouQVKAdWbbJCo5hABdLuR8AAYWmPA=
From: "Robin Bell" <rbell@tsvmedia.net>
To: <townmgr@weathersfield.org>
X-Scanned-By: SoVerNet, Inc.
X-Spam-Milter-Report: Content analysis details: (0.6 points, 3.0 required)
0.1 FORGED_RCVD_HELO Received: contains a forged HELO
0.5 HTML_40_50 BODY: Message is 40% to 50% HTML
0.0 HTML_MESSAGE BODY: HTML included in message
0.0 UPPERCASE_25_50 message body is 25-50% uppercase
X-Spam-Milter-Status: No, hits=0.632 required=3 l=75 f=1 st=1
tests=FORGED_RCVD_HELO,HTML_40_50,HTML_MESSAGE,UPPERCASE_25_50

This is to confirm that I have received your Notice for Public Hearing. All the legals, notices, etc. are done through this office in Claremont. Please in the future you may send them directly to me at rbell@tsvmedia.net If you should have any questions please feel free to contact me.

Thank You,
Robin L. Bell
Advertising Administrator
Eagle Publications, Inc.
Twin-State Valley Media Network
603-543-3100 x157
800-545-0347 x157

From: Ginny Gosselin
Sent: Thursday, October 05, 2006 10:31 AM
To: Robin Bell
Subject: FW: Request for Publication

From: Larry J. Melen [<mailto:townmgr@weathersfield.org>]
Sent: Tue 10/3/2006 2:03 PM
To: Ginny Gosselin
Subject: Request for Publication

Please publish the attached "Notice of Public Hearing" in your newspaper on Thursday, 19 October, and again on Friday, 03 November 2006.

This "Notice" should appear in display format.

Please acknowledge receipt of this transmission.

Larry J. Melen, Weathersfield Town Manager
Telephone: [802] 674-2626

SURVEYOR'S REPORT

OLD BOW ROAD

(T.H. #66, untraveled T.H. #67, so called, & T.H. #67, so called)

WEATHERSFIELD, VERMONT

Portion of Tax Map 13

July 26, 2006

This report is a compilation of the research conducted by Debra Daniels Mithoefer, P.L.S., acting for Daniels Survey, P.C. This report is not transferable and may not be used by any party other than those land owners listed in appendix 'A' of this report with out written authorization of Daniels Survey, P.C.

INTRODUCTION

This surveyor's report will provide a surveyor's opinion as to the present status of T.H. #66, also known as Old Bow Road, untraveled T.H. #67 & T.H. #67, also known as Old Bow Road. This report will present documentation detailing the present and past status of T.H. #66, untraveled T.H. #67, and T.H. #67. This report will explain away confusion surrounding the naming and renaming of some of the town roads in this portion of Weathersfield and this report will summarize my physical inspection of the roads in question.

Exhibit Map # 1 is a copy of a portion of the 2005 Town of Weathersfield Tax Map 13. Exhibit Map #1 has been color coded to help identify the location of the various items of interest discussed in this report. On Exhibit Map #1, please notice that untraveled T.H. #67 was added to the tax map by Daniels Survey, P.C. The exact location of untraveled T.H. #67 is not important. However, it is important to note that said road does not cross and never did cross Interstate 91, or lands taken for the construction of said road, within the bounds of the Town of Weathersfield.

Preparing to compile this surveyor's report, Daniels Survey, P.C. has researched and reviewed various documents and record documents found in the Weathersfield Land Records (WLR) to include deeds, town records, surveys by others, the Selectmen's meeting minutes as they pertain to roads, the road book compiled by others (?), all Weathersfield Highway Maps filed with State of Vermont Vtrans Mapping Unit, the 1869 Beers Atlas for Weathersfield and "The 1940 Butterfield Map" compiled by Ernest Butterfield. On January 27, 2006, Debra Daniels Mithoefer, P.L.S. made a physical inspection of the roads which are of interest to this report.

After researching, reviewing and reconciling the above documents, after a physical inspection of the roads of interest to this report and after discussions with Vtrans Chief of Survey, Paul Hodge and Vtrans Mapping Unit Administrator in charge of Town Highway Maps, Johnathan Croft, I find the following information concerning T.H. # 66, untraveled T.H. #67 and T.H. #67 to be correct to the best of my knowledge and belief.

SURVEYOR'S OPINION – PRESENT STATUS OF ROADS

To the best of my knowledge and belief the westerly portion of T.H. #66 is a Class 3 highway with a gravel surface beginning at its intersection with T.H. #51 and thence running easterly for a distance of at least 0.61 miles (3220 feet). Untraveled T.H. #67 is situated east of Interstate 91 and is a Class 4 highway with an impassable or untraveled surface beginning at its intersection with Route 5 and thence running southerly for a distance of 1.30 miles (6864 feet) to the Weathersfield Town line. The 2005 General Highway Map, Town of Weathersfield,

DANIELS SURVEY, P.C., 310 SOUTH HILL ROAD, LUDLOW, VT 05149

Exhibit Map #2, is the reference relied upon for this information. The easterly portion of T.H. # 66 is a Class 3 or Class 4 highway with a gravel surface that is not routinely maintained by the Town of Weathersfield beginning at the terminus of the above described portion of T.H. #66 and thence running approximately .33 miles (1735 feet) to its intersection with T.H. #67. T.H. #67 is a Class 3 or Class 4 highway with a gravel surface that is not routinely maintained by the Town of Weathersfield beginning at its intersection with Interstate 91 and thence running generally southerly for a distance of approximately 0.67 miles (3545 feet) to its intersection with T.H. #66. These roads are more particularly shown of Exhibit Map #1. A Condemnation Order dated January 6, 1964 and recorded WLR book 40 Page 165 (see page 168), Reference Document #1, and an agreement between the Town of Weathersfield and the State of Vermont dated July 13, 1964 and recorded WLR Book 40 Page 467, Reference Document #2, is the basis for this opinion. Briefly, the State of Vermont identified T.H. #67 as a town highway when they conducted title work for the interstate takings. T.H. #67 did not have a T.H. number designation at that time. The State of Vermont most likely named the road T.H. #67 because it intersected with untraveled T.H. #67 in Weathersfield Bow (per Paul Hodge). The Town of Weathersfield appears to have agreed with their research and designation as evidenced by the compensation they received for the road from the State of Vermont. Additionally, the Town of Weathersfield agreed to 'improve the southerly section of T.H. #67, estimated as about one mile in length, for the benefit of local traffic traveling northerly from the Springfield - Weathersfield town line' (See Map Exhibit #10). The town received \$760.00 to make the improvements. I believe that these documents, together with physical and other record evidence, make a very compelling case to support classifying T.H. #67 and the easterly portion of T.H. #66 as Class 3 highways or as maintained Class 4 highways. In the 1964 agreement, the town made a comittment to improve these local roads for the benefit of local traffic with money received from the State of Vermont.

DOCUMENTATION

- 1) **Present T.H. #66:** The westerly portion of T.H. #66 is a Class 3 highway with a gravel surface beginning at its intersection with T.H. #51 and thence running easterly for a distance of at least 0.61 miles (3220 feet). The easterly portion of T.H. # 66 is a Class 3 or Class 4 highway with a gravel surface that is not routinely maintained by the Town of Weathersfield beginning at the terminus of the above described portion of T.H. #66 and thence running approximately .33 miles (1735 feet) to its intersection with T.H. #67. The 2005 Vermont General Highway Map for Town of Weathersfield, Exhibit Map #2, shows the westerly 0.61 miles of Class 3 highway. The easterly portion of T.H. #66 does not appear on the 2005 General Highway Map. Map 13 of the Town of Weathersfield Tax Maps, Exhibit Map #1, shows the easterly portion of T.H. #66.
- 2) **Present untraveled T.H. #67:** Untraveled T.H. #67 is situated east of Interstate 91 and is a Class 4

highway with an impassable or untraveled surface beginning at its intersection with Route 5 and thence running southerly for a distance of 1.30 miles (6864 feet) to the Weathersfield Town line. The 2005 General Highway Map, Town of Weathersfield, Exhibit Map #2, is the reference relied upon for this information. This highway is not shown on Map 13 of the Town of Weathersfield Tax Maps, Exhibit Map #1.

- 3) **Present T.H. #67:** T.H. #67 is a Class 3 or Class 4 highway with a gravel surface that is not routinely maintained by the Town of Weathersfield beginning at its intersection with Interstate 91 and thence running generally southerly for a distance of approximately 0.67 miles (3545 feet) to its intersection with T.H. #66. T.H. #67 does not appear on the 2005 General Highway Map. Map 13 of the Town of Weathersfield Tax Maps, Exhibit Map #1, shows T.H. #67 running southerly from Interstate 91 to T.H. #66.
- 4) **Historical T.H. #66, untraveled T.H. #67 and T.H. #67:** The '1940 Butterfield Map', Exhibit Map #3, is believed to illustrate the location of old roads for the period of 1760 to 1813. The '1940 Butterfield Map' was created by Dr. Ernest Butterfield and is located on the wall in the office of the Town Clerk. On that map, and in the Butterfield narrative, T.H. #66 and T.H. #67 is shown as a road commencing at Bowen Hill Road and 'running easterly into "The Oven" ..., here it ran south into Spencer Hollow and north to the Bow.' He also describes that road as 'back of the church ran roads to Spencer Hollow on the side hill and over the hill top'. Dr. Butterfield's map indicates that portions of T.H. #66 & T.H. #67 were no longer in use in 1940. Dr. Butterfield also shows untraveled T.H. #67 running southwesterly and southerly to Springfield from Weathersfield Bow. This road is the 'road to Spencer Hollow on the side hill'. Dr. Butterfield's map indicates that untraveled T.H. #67 was no longer in use in 1940.

The 1869 Beers Atlas Map, Exhibit Map #4, shows T.H. #67 and T.H. #66 commencing in Weathersfield Bow and thence running westerly up the hill, thence southerly and thence westerly to Bowen Hill Road, so called. The Beers Atlas also shows untraveled T.H. #67 running southwesterly and southerly to Springfield from Weathersfield Bow. Both maps show untraveled T.H. #67 and T.H. #67 intersecting in the vicinity of the center of Weathersfield Bow. The significance of this will be discussed in the section of this report that reviews some of the confusion surrounding the naming and renaming of roads. The Beers Atlas series of maps is believed to be one of the best indicators of what selectmen in the towns believed to be town highways at that point in time (Paul Hodge, Vtrans). These maps indicate T.H. #66, untraveled T.H. #67 & T.H. #67 were highways by an act of the town, either by the statutory road layout process or by dedication and acceptance.

In 1931, as a response to state wide damage to roads during the 1927 flood, State of Vermont created the first General Highway Maps. Paul Hodge, Vtrans Chief of Surveys, and Jonathan Croft, Vtrans Mapping

Unit Administrator in charge of Town Highway Maps, tell me that in 1931 the state 'asked towns to send them a list of all roads for which they would like state aid for maintenance'. At that time there was no classification of roads (Act 63 was implemented in 1973). In 1931 the Town of Weathersfield requested aid for T.H. #66 for a distance of 0.1 miles beginning at Bowen Hill Road. Exhibit Map #5 is a copy of the 1931 map. In 1947 or 1949, T.H. #66 was increased to 0.19 miles, Exhibit Map #6. In 1971, T.H. #66 was increased to 0.61 miles by the Town of Weathersfield, Exhibit #7, and that 0.61 mile portion was classified as a Class 3 highway in 1973, Exhibit Map #7. **Please note that T.H. #66 was maintained for 0.19 miles at the time the interstate was negotiated and constructed.** (All General Highway Maps are photo copies of or original maps I received from Jonathan Croft.) Exhibit #8 is a copy of a letter from Vtrans indicating the mileage history for T.H. #66 and untraveled T.H. #67. It is important to emphasize that untraveled T.H. #67 is the untraveled road east of Interstate 91 and not the T.H. #67 depicted on the interstate plans. The 1941 General Highway Map, Exhibit Map #5A is of particular interest. Apparently, Town of Weathersfield considered adding T.H. #67, Old Bow Road, to said map. This is evidenced by the light weight line drawn on the 1941 map. T.H. #67, Old Bow Road, would have had to be a town highway at that time in order to be considered for addition to the General Highway Map and eligible for state aid.

In the early 1960's, the State of Vermont began the process of acquiring land for Interstate 91 (reference Book 40 Page 101, Book 40 Page 165 and Book 40 Page 475). Each of these referenced instruments describes that portion of T.H. #67 to be acquired by the State of Vermont from the Town of Weathersfield. T.H. #67, Old Bow Road, would have been a town highway at that time to be referenced as such in the condemnation proceedings. If T.H. #67 had been discontinued, it is likely the road would have been thrown up to the adjoining property owners and the State would not have paid compensation to the Town for this land. Obviously, the State and the Town believed the land in question was a town highway. The 1964 agreement between the Town of Weathersfield and the State of Vermont makes it clear that the Town considered T.H. #67 part of the town highway system at that time. I did not find any reference to a discontinuance proceeding for T.H. #67 after the conveyance of land to the State of Vermont. Furthermore, the 1964 agreement document tells us the town was to receive compensation from the state to improve the southerly section of T.H. #67 for a distance of 1 mile. The State did not ask towns to classify their roads until 1973 (Act 63). The 1973 General Highway Map is the first map to indicate road classifications.

I presume the right of way width of T.H. #67 is 3 rods wide (19 V.S.A. Sec. 702). I did not search the land records for a recorded survey. However, I base this presumption on the above reference statute and the

DANIELS SURVEY, P.C., 310 SOUTH HILL ROAD, LUDLOW, VT 05149

fact that the State of Vermont showed the right of way width for T.H. #67 as 3 rods on the taking and construction plans for Interstate 91, Exhibit Map #9. Also, I recovered concrete highway markers on the ground by the State at the intersection of Interstate 91 highway lines and T.H. #67 highway line which supports the 3 rod wide width. Further research is needed to determine how the State of Vermont described the width of T.H. #67 as 3 rods.

- 5) **What's its name?** There is confusion surrounding the town highway number for Old Bow Road, so called. Old Bow Road is presently known as T.H. #66 and is shown as commencing at Bowen Hill Road and running easterly, northerly and easterly to the westerly highway line of I-91 on Tax Map #13. However, a portion of Old Bow Road as shown on Tax Map 13 is also called T.H. #67 on the Interstate 91 plans, in the condemnation documents, in the 1964 agreement and is shown crossing the interstate from east to west on the Interstate 91 plans. Furthermore, the 1931 through 2005 General highway maps show T.H. #67 as a road situated entirely east of Interstate 91. I asked Paul Hodge why the State of Vermont Highway Department would have named two roads T.H. #67. The answer I received from the Chief of Surveys was that at that time, when a town highway did not appear to have a town highway number assigned by a town, the State simply **assigned the road in question the same town highway number as the road from which it branched off.** T.H. #67 (interstate plans) branches off of unimproved T.H. #67(general highway map) in Weathersfield Bow just a few hundred feet west of Route 5 (See the Beers Atlas). Unfortunately, VTRANS has not maintained the files and field books (floods in Montpelier and house keeping when VTRANS moved locations) associated with the takings for Rt. 91 so I was unable to review the original notes for that project.

- 6) **More confusion – to where does the one mile extend?** In 1964 (date of the '1964 Agreement' between the State and the Town), T. H. #66 was 0.19 miles long. The distance from the westerly highway line of Interstate 91 to that point on T.H. #66, measured along the center of T.H. #67 and the easterly portion of T.H. #66 is one mile. The distance from the westerly highway line of Interstate 91 to the Weathersfield town line, measured along T.H. #67 and a southerly extension of T.H. #67, as depicted on the tax map, is approximately 0.71 miles. There are no houses along the extension of T.H. #67. It is my opinion that the town and state intended to improve the road in question beginning at the 0.19 mile mark on T.H. #66 and then continue easterly, northerly and easterly to the westerly limit of the interstate. By 1971 the town had improved an additional 0.42 miles of road (Exhibit #7) and in 1973, the General Highway Map was changed to reflect the improvements. Exhibit Map #10 is a copy of the 1966 General Highway Map. Exhibit Map #10

has been color coded and illustrated to help identify the location and length of T.H. #67 described in the '1964 Agreement'.

PHYSICAL INSPECTION

On January 27, 2006 I personally inspected T.H. #66, untravelled T.H. #67, T.H. #67 and a portion road leading southerly from the bend in the road of T.H. #66/ T.H. #67 towards Springfield. Exhibit #11 is a copy of my field notes describing my observations. Regarding T.H. #67, I began my site visit west of Route 5 north of the church and walked westerly to the east side of Rt. 91. I then returned to Weathersfield Bow and drove around to walk T.H. #67 from the bend in the road northeasterly to the west side of Rt. 91. I observed signs of old road bed and sections of wall both sides of Rt. 91. I also recovered Vermont Highway Department Monuments marking the limits of T.H. #67 on both sides of Rt. 91.

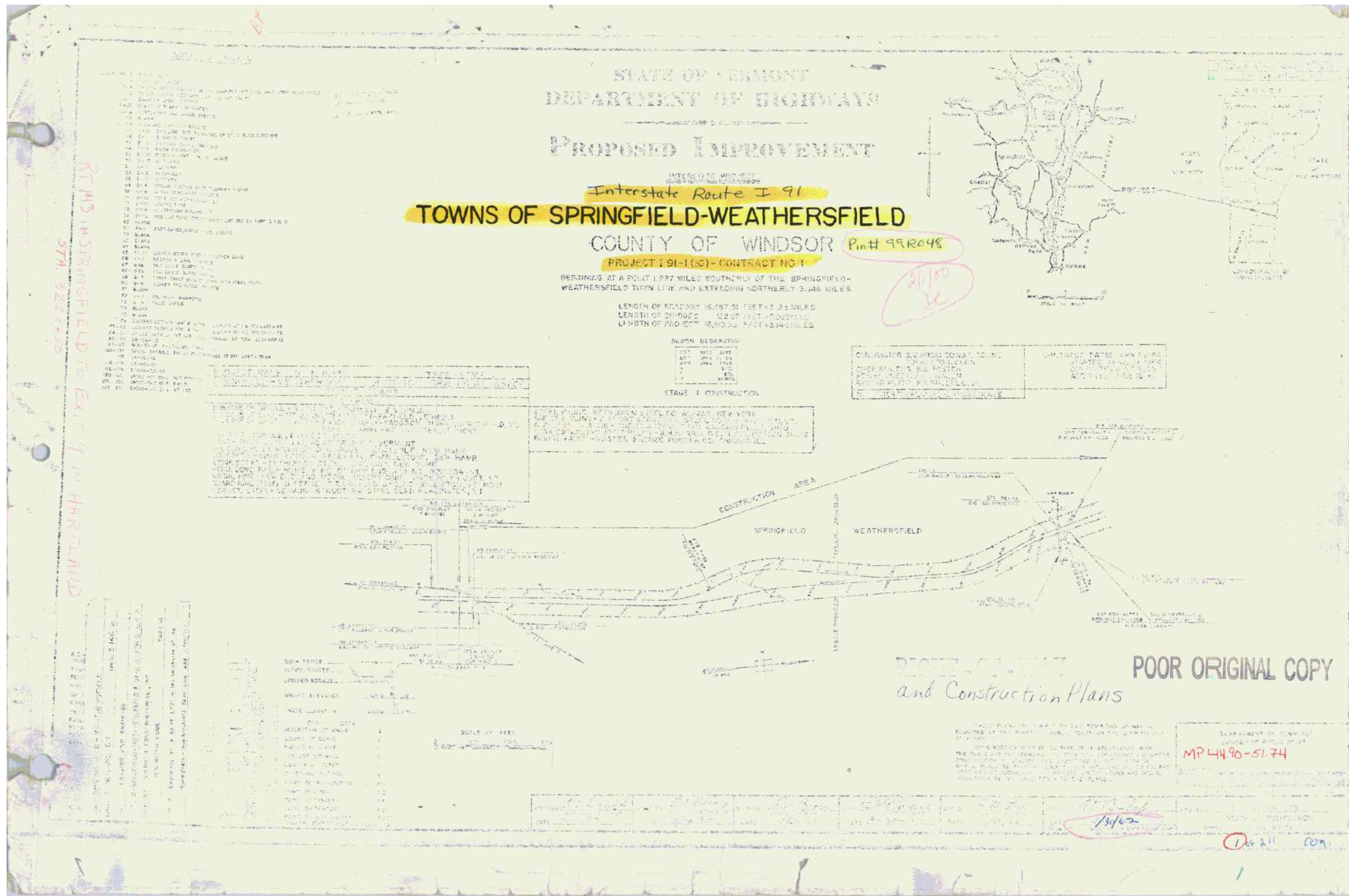
SUMMARY

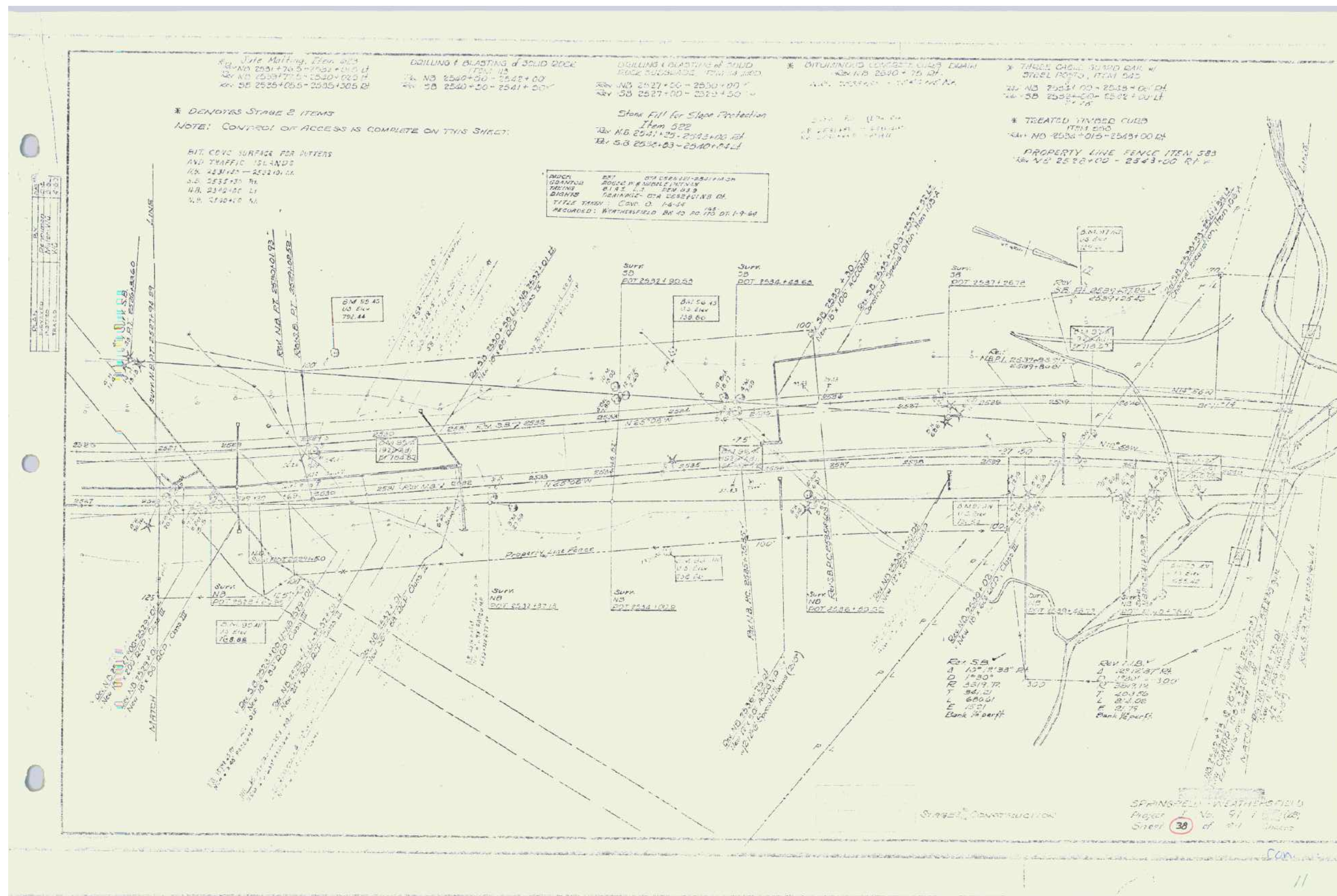
During January of 1964, the State of Vermont acquired by condemnation from the Town of Weathersfield a portion of T.H. #67 (0.6 acres of land) for purposes of constructing Interstate 91. In July of 1964, the Town of Weathersfield and the State of Vermont entered into an agreement in which the Town agreed to improve the southerly 1 mile of T.H. #67 and the State agreed to pay \$760.00 towards the improvements. At this time, the State and the Town believed the land in question was a town road.

I found no records in the Weathersfield Land Records or records filed with the State that would indicate the Town of Weathersfield discontinued any portion of T.H. #67 as depicted on the I-91 plans after 1964.

At the time of the '1964 Agreement', roads were not classified.

In my opinion, Old Bow Road is a town highway commencing at the easterly highway line of Bowen Hill Road and thence running easterly, northerly and northeasterly a distance of approximately 1.19 miles to the westerly highway line of Interstate 91. The westerly 0.61 miles of road is a class 3 road for which the town receives state aid. The easterly approximately 0.58 miles of road is a class 3 or class 4 town highway for which the town receives no state aid and which is not regularly maintained by the town.





WILLIAM POETER
COMMISSIONER OF HIGHWAYS



STATE OF VERMONT
DEPARTMENT OF HIGHWAYS
MONTPELIER
Highway Planning Division

January 12, 1962

Board of Selectmen
Weathersfield, Vermont

Attention of Chairman

Gentlemen:

With regard to the completion of the enclosed Highway Mileage Certificates, all the travelled highways in your town were measured in 1961 by Mr. Irving McCoy, Selectman, and Mr. Daniel Jarvis, Road Commissioner, with Mr. Cookson of this office, in accordance with Title 19, V.S.A., Section 15, as amended 1961, Act No. 28.

The resulting additions, deletions and subtractions are indicated on the enclosed map and explained on the attached breakdown sheets.

In order that highways 10A, 29A and 69A may be added to your Town Highway mileage, a Selectman's Certificate of Completion, (i.e.: a copy of the description of the highways as shown in the town records), must be forwarded to this office as required by the statutes. This information should be returned with the Highway Mileage Certificates.

In addition to the remeasurement, we wish to call your attention to other changes that have occurred this year.

As a result of the 10-year reselection of State Aid Highways, the State Aid mileage, in Weathersfield, has changed from 5.890 to 6.370 miles, an increase of 0.480 mile, and the mileage for Town Highways has subsequently decreased by this same amount.

For your convenience, we have entered on the enclosed mileage certificates the change in State Aid and Town Highway mileage resulting from the 10-year reselection, and would appreciate your entering the amounts to be added or subtracted on Town Highways, due to the remeasurement, noting that the mileage, for highways requiring Certificates of Completion, has not been included in the total of additions of the breakdown sheet, as they are not considered additions until properly substantiated.

Yours very truly,

R. F. Farrington
Highway Planning Engineer

RFF/VIR/bjE
Encs.

BREAKDOWN OF
1961 ROAD MEASUREMENT CHANGES

| <u>Map Ident. Letter</u> | <u>Town Hwy. No.</u> | <u>Miles Added</u> | <u>Miles Subtracted</u> | <u>Explanation</u> |
|----------------------------------|------------------------------|------------------------|-----------------------------|--|
| A | 5 | | - 0.20 | Portion now untravelled; proposed trail. |
| B | 6 | | - 0.28 | Road now untravelled beyond Marlowell's barnway. |
| C | 7 | | - 0.17 | Road now untravelled beyond Jarvis farm. |
| D | 9 | | - 0.08 | Re-measurement between Vt. 131 and T-3. |
| E | 18 | | - 0.10 | Re-measurement to Groat place. |
| F | 30 | + 0.06 | | Re-measurement between T-30 and T-4. |
| G | 42 | | - 0.89 | Road now untravelled; proposed trail. |
| H | 38 | + 0.04 | | Re-measurement to old Rice place. |
| I | 44 | + 0.06 | | Re-measurement between T-45 and T-46. |
| J | 45 | | - 0.58 | Road now untravelled beyond Chambers place. |
| K | 47 | + 0.10 | | Re-measurement between SA-1 and T-26. |
| L | 48 | | - 0.12 | Road untravelled beyond Morsette driveway; to be discontinued. |
| M | 50 | + 0.12 | | Untravelled portion now travelled for farm purposes. |
| N | 52 | | - 0.14 | Road now untravelled. |
| O | 54 | + 0.30 | | Untravelled road now travelled to camp. |
| P | 66 | | - 0.10 | Road now untravelled beyond Grinn driveway. |
| Q | 68 | | - 0.05 | Re-measurement between T-50 and T-51. |

(Continued on next page)

WEATHERSFIELD

| <u>Map Ident. Letter</u> | <u>Town Key. No.</u> | <u>Miles Added</u> | <u>Miles Subtracted</u> | <u>Explanation</u> |
|----------------------------------|------------------------------|------------------------|-----------------------------|---|
| R | 76 | | - 0.19 | Said to be private road to old Johnson place. |
| T | Old Vt. 131 | + 0.21 _____ | _____ | Portion of old Vt. 131 relinquished to town 1961. |
| | | + 0.89 | - 2.90 | |

Note: If desired, a copy of sheets 1 and 2 of the breakdown may be attached to your mileage report in place of filling in Items 1, 2 and 3. If this is done, the copy should be signed by the Selectman and notarized, with reference to attached copy indicated under Items 1, 2 and 3. However, such a copy does not constitute a substitution for the Certificate of Completion and Opening to Public Travel required for new highways added.

WEATHERFIELDBREAKDOWN OF
1961 ROAD MEASUREMENT CHANGES

| <u>Map</u> <u>Ident.</u> <u>Letter</u> | <u>Town</u> <u> Hwy.</u> <u>No.</u> | <u>Miles</u> <u>Added</u> | <u>Miles</u> <u>Subtracted</u> | <u>Explanation</u> |
|--|---|------------------------------|-----------------------------------|---|
| S | 29A | + 0.48 | | Newly constructed portion of T-29. |
| U | 10A | + 0.16 | | Road near old lime kiln works maintained by town. |
| V | 69A | + 0.06 | | Said to be town highway past church - Perkinsville. |

Mileages for highways described on this sheet require Selectman's Certificates of Completion.

