

CERTIFICATE OF HIGHWAY MILEAGE FOR YEAR ENDING FEB. 10, 1987

Fill out the certificate, file yellow copy with the Town Clerk, and mail white original to Vt. Agency of Transportation, Project Planning Division before February 10, 1987.

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

PART I

DISTRICT 1

We, the Selectmen/Trustees/Aldermen of Arlington, Bennington County on an oath state that the mileage of highways, according to Title 19, V. S. A., Sec. * 305, added 1985, is as follows:

	TOWN HIGHWAYS				STATE HIGHWAYS	TOTAL EXCLUDING CLASS 4
	CLASS 1	CLASS 2	CLASS 3	CLASS 4		
PREVIOUS MILEAGE AS SHOWN FEBRUARY 10, 1986	.000	7.910	25.360	4.110	14.047	47.317
MILEAGE ADDED SINCE FEBRUARY 10, 1986 EXPLAIN UNDER (1) BELOW	.000	.000	0.100	.	.000	0.100
SUB TOTAL	.000	7.910	25.460	4.110	14.047	47.417
MILEAGE SUBTRACTED SINCE FEBRUARY 10, 1986 EXPLAIN UNDER (2) AND (3)	.000	.000	.	0.070*	.000	
TOTAL HIGHWAY MILEAGE FEB. 10, 1987	.000	7.910	25.460	4.040	14.047	47.417
SCENIC HIGHWAY MILEAGE (19 VSA 2502)	.000	.000	.000	.000	.000	.000

DURING THE PAST YEAR THE FOLLOWING CHANGES HAVE OCCURRED.

(1) We hereby certify that the following new highways, as substantiated by the attached 'Selectmen's Certificate of Completion' have been added.

An error was made in 1984 on highway #46, whose entire length is .11 mile. ~~.08 mile (400')~~ of this highway is now a class III highway and .03 is a trail.

(2) We hereby certify that the following highways have been discontinued according to statute and are substantiated by the attached copy of the proceedings.

The following highways have never been identified by number, and are now classed trails: As described in Land Record book 5, pg. 71, dated March 26, 1807; see attach.

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

*See enclosed Class 4 Trails form.

T-46 0.070 Class 4 to Class 3 Reclassification

0.030 Class 3 Remeasurement

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

PART II CHECK BOX IF NO CHANGES IN MILEAGES.

PART III

SELECTMEN/ALDERMEN/TRUSTEES
SIGNATURES

James E. Molloy
Keith Squires

Town/City/Village/Clerk Signature: Ralph P. Sherwin attests that this record of highway mileage was filed and recorded on 2/12, 1987.

Approved: J. R. Lundy Date 2/23/87
Representative, Agency of Transportation

MAR 27 1987

JK

FILE

March 9, 1987

Ms. J. Wyman
Town Clerk
Town of Arlington
P. O. Box 304
Arlington, Vermont 05250

Dear Ms. Wyman:

Enclosed is a replacement copy of your 1987 Mileage Certificate. The previous copy we sent you had an error in the Class 4 mileage. The total shown was 4.07 when the correct total should be 4.04.

If you have any questions, feel free to call.

Sincerely,

J. E. R. Landry, P.E.
Project Planning Engineer

By: Edward J. Chabot
Business Manager

JERL/EJC/sla
Enc.

AGENCY OF TRANSPORTATION, PROJECT PLANNING DIVISION

CLASS 4 TRAILS

The 1986 Legislature (1985 Adjourned Session) passed Act No. 269 which removed trails from Class 4 Town Highways. The definition as passed of a trail is as follows:

"Trail" means a public right-of-way which is not a highway and which:

- (A) previously was a designated town highway having the same width as the designated town highway, or a lesser width if so designated; or
- (B) a new public right-of-way laid out as a trail by the selectmen for the purpose of providing access to abutting properties. -Added 1985, No. 269 (Adj. Sess.), §1.

Listed below are the trails within your town. These trails will be reflected on your 1987 Certificate of Highway Mileage as a reduction in Class 4 mileage:

<u>TOWN HIGHWAY NUMBER</u>	<u>CLASS 4 TRAIL MILEAGE</u>
TH 46	(0.07)
Total	(0.07)

BOARD OF SELECTMEN

**TOWN OF ARLINGTON
ARLINGTON, VERMONT 05250**

TELEPHONE 878-6474

CERTIFICATE OF HIGHWAY MILEAGE FOR YEAR ENDING FEB.10,1987

Part I Completed chart for mileage of class 1,2,3,4

DURING THE PAST YEAR THE FOLLOWING CHANGES HAVE OCCURED--(1) Completed

(2) The following highways have never been identified by number, and are now classed as trails: As described in Land Record Book 5, pg 71, dated March 26, 1807.

**Also as described in Land Record Book 5, pg. 67, dated May 3, 1787
And as described in Land Record Book 5, pg. 68, dated March 25, 1807.**

STATE OF VERMONT

BENNINGTON, COUNTY, se.

TOWN OF ARLINGTON

NOTICE OF ALTERATION OF HIGHWAYS


Pursuant to Title 19, Chapter 7, Section 531, et seq., of Vermont Statutes Annotated, all abutting land owners, persons interested in abutting lands, and all other persons who desire to be heard with respect to the ALTERATION OF THE CLASSIFICATION of the sections of highway, situated in the Town of Arlington, County of Bennington and State of Vermont, described as follows:

- I. Change of highway from a trail to Class III Highway:
Town highway #46, known as Legion Road, .1 miles in length. It is a dirt road, presently maintained by the town. In order to receive State Aid on this road it must be changed to a Class III Road from the RR track to the Legion-Ritchie line.
- II. Change of highway from Untraveled Road to Abandonment:
 1. Town Highway #20 and Town Highway #21 located on the north side of route 313, adjacent to property owned by Cyril Hoyt, Sr.. These two roads are untraveled and therefore should be abandoned.
 2. These roads located in South Arlington as described in the Arlington Town Records to trails:
 - a) Book 5, page 71, dated March 26, 1807
 - b) Book 5, page 67, dated May 3, 1787
 - c) Book 5, page 68, dated March 25, 1807

You are hereby notified that the Board of Selectmen of said Town will examine said sections of highways on the 28th day of July, 1986, at 1:00 o'clock in the P.M. in the order set forth, and that said Board will hear any parties, with respect to ALTERATION OF THE CLASSIFICATION, at the Town Office of the Selectmen in the Town of Arlington on the 28th day of July 1986, at 6:45 o'clock in the P.M., at which time said parties may appear for such purposes.

All persons also are notified that the decision of the Board of Selectmen, with respect to the matter herein before set forth, will thereafter issue according to law.

Dated at Arlington, Vermont, this 30th day of June 1986.



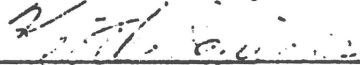
Clarence S. Curtis, Chairman



Ralph Sherwin



Lawrence Molloy



Keith Squires

Richard Mason

MINUTES OF PUBLIC HEARING
FOR ALTERATION OF HIGHWAYS

Town Hall
July 28, 1986
6:45 P.M.

Selectmen Present: Clarence Curtis, Ralph Sherwin, Keith Squires,
and Richard Mason.

Public Present: Marlene Roderick, Gene Hoyt, Anthony R. Mento,
Harold Gilbar and Richard Holton

The hearing opened with Clarence Curtis, Chairman of the Board of
Selectmen presiding.
The notice of the Alteration of Highways was read (copy attached).

- I. Change of highway from a trail to Class III Highway:, Town
Highway #46, known as Legion Road, .1 miles in length.
Upon questioning by Richard Holton as to why the change, Mr.
Curtis explained that in error, in 1984, May 29th, this road
.07 mile of it was made into a trail. This was unintentional
and the purpose of the alteration at this time is to get back
.1 of a mile so that State Aid can be collected on it. So agreed.
- II. Highway #20 and 21 are on the notice for alteration. ~~However~~
after the notice had gone out and was posted it was found that
these roads were discontinued in 1957 and in 1962.
- III. These roads in South Arlington to be altered to trails:
 - a) Described in Book 5, page 71, dated March 26, 1807
 - b) Described in Book 5, page 67, dated May 3, 1787
 - c) Described in Book 5, page 68, dated March 25, 1807.

Mr. Harold J. Gilbar, Jr., ESQ., attorney for Mrs. Josephine H
Bryce was present and on the behalf of Mrs. Bryce objected to
the downgrading of the above roads. He cited the reason as
"trails severely restricts the use of adjoining lands and affects
the value of said lands, to the detriment of the land owners."
A copy of the letter in its entirety is attached to these minutes.

Mr. Clarence Curtis asked of the other Selectmen if they felt
that the letter was threatening enough to prevent the roads from
becoming converted to trails. None of the Selectmen felt that it
was that threatening. As a result the outcome, by Roberts Rule is
that the above mentioned roads were converted to trails.

Minutes of this hearing were taken by Millicent Cross, Secretary
to the Board of Selectmen

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Gary N. Bar

JUL 29 1986
en



State of Vermont

ARLINGTON

AGENCY OF ENVIRONMENTAL CONSERVATION

~~Montpelier, Vermont 05602~~

Waterbury, Vermont 05676

DEPARTMENT OF FORESTS, PARKS AND RECREATION

Department of Fish and Wildlife
Department of Forests, Parks, and Recreation
Department of Water Resources & Environmental Engineering
State Geologist
Natural Resources Conservation Council

July 21, 1986

Mr. Clarence S. Curtis, Chairman
Board of Selectmen
Town of Arlington
Arlington, Vermont 05250

Dear Mr. Curtis:

I am in receipt of your Notice of Alteration of Highways dated June 30, 1986.

Historically, it has been the intent of the Forests, Parks and Recreation Board to encourage towns to continue ownership of high-way rights-of-way as "trails" where they are of sufficient length or location to be of value to snowmobilers, cross-country skiers, hikers, horseback riders, and other recreational users. In 1982 this policy was formally adopted by the Board - copy attached.

The State Board of Forests, Parks and Recreation will not be represented at your hearing on July 28, 1986 but we would request that this letter be entered into the record of proceedings.

Sincerely yours,

Mollie H. Beattie
Commissioner

MHB:jn

cc Paul Guare, Executive Secretary, Transportation Board
George Plumb, Director of Recreation, FP&R Dept.

Ed Chabot, Supervisor, Town Highway Mapping Unit, Highway Dept. ✓
Enc.

FORESTS, PARKS AND RECREATION BOARD

Discontinuance of Town Highways -
Policy for Designation as Trail

Regarding discontinuance of highways, Vermont statutes (19 V.S.A., §535) provide that:

"(a) When a highway is discontinued the right of way may be continued at the same width by either the town selectmen or the state of Vermont board of recreation, with the approval of the selectmen of the town, by designating the right of way as a trail. The selectmen shall notify the board of recreation when they have filed a petition to discontinue a highway under this article. If the discontinued highway is not designated as a trail, it shall be set and belong to the owners of the adjoining lands; if it is located between the lands of two different owners, it shall be set to the lots to which it originally belonged, if they can be ascertained; if not, it shall be equally divided between the owners of the lands on each side.

(b) Any trail which was designated as such prior to July 1, 1967, and which was legally a highway immediately preceding such designation as a trail, shall as a trail be of the same width as it was as a highway, but not more than three rods in width.--Amended 1979, No. 143 (Adj.Sess.), §2, eff. April 23, 1980.

1979 (Adj.Sess.) amendment. Subsection (a): Designated existing section as subsec. (a).

Subsection (b): Added."

At its meeting of March 19, 1982, the Forests, Parks and Recreation Board adopted this policy:

"It is the policy of the Forests, Parks and Recreation Board to encourage municipalities to continue highway rights-of-way as trails when they are of sufficient length to serve as recreation trails or could serve as a vital link in a trail network.

Trail status allows the right-of-way to continue to be used by the public rather than revert to private ownership. As a class 4 highway, it needs to only "be maintained to the extent required by the necessity of the town, the public good, and the convenience of the inhabitants of the town."

In considering the recreation needs, municipalities should consider trail uses for walking/hiking, cross-country skiing, horseback riding, snowmobiling, or other recreational uses.

Notice of the proposed changes in the status of rights-of-way should be sent to user groups in the community, such as snowmobile clubs and 4-H horseback riding clubs."

FOREST & PARKS
MONTPELIER, VERMONT

BOARD OF SELECTMEN
TOWN OF ARLINGTON
ARLINGTON, VERMONT 05250
TELEPHONE 878-6474

JUL -7 AM 10:36

July 3, 1986

Agency of Environmental Conservation
Department of Forests, Parks & Recreation
Montpelier, Vermont
05602

Dear Sirs:

We are sending this notice to you so that you may become aware of what the Selectmen would like to do regarding the roads mentioned in the notice.

We hope you will attend this meeting if you have any questions or objections.

Sincerely,

Clarence S. Curtis

Clarence S. Curtis, Chairman
Board of Selectmen

Enc.

CSC/mc

*From letter
of 7/5/86*

BENNINGTON, COUNTY, se.

TOWN OF ARLINGTON

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Dated at Arlington, Vermont, this 30th day of June 1986.

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Clarence S. Curtis, Chairman

Ralph Sherwin
Ralph Sherwin

Lawrence E. Molloy
Lawrence E. Molloy

Keith Squires
Keith Squires

Richard Mason
Richard Mason