

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2017

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2017 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of SUTTON in CALEDONIA County on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305, added 1985, is as follows:

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

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

* 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".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. []

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

Handwritten signatures of selectmen/aldermen/trustees.

T/C/V Clerk Signature:

Handwritten signature of T/C/V Clerk.

Date Filed:

1-26-17

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 and text: Representative, Agency of Transportation

DATE:

3/30/2017

Received

FEB 21 2017

Policy, Planning & Intermodal
Development Division

Vermont Statutes Annotated

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

Received

FEB 13 2017

Policy, Planning & Intermodal
Development Division

§ 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.

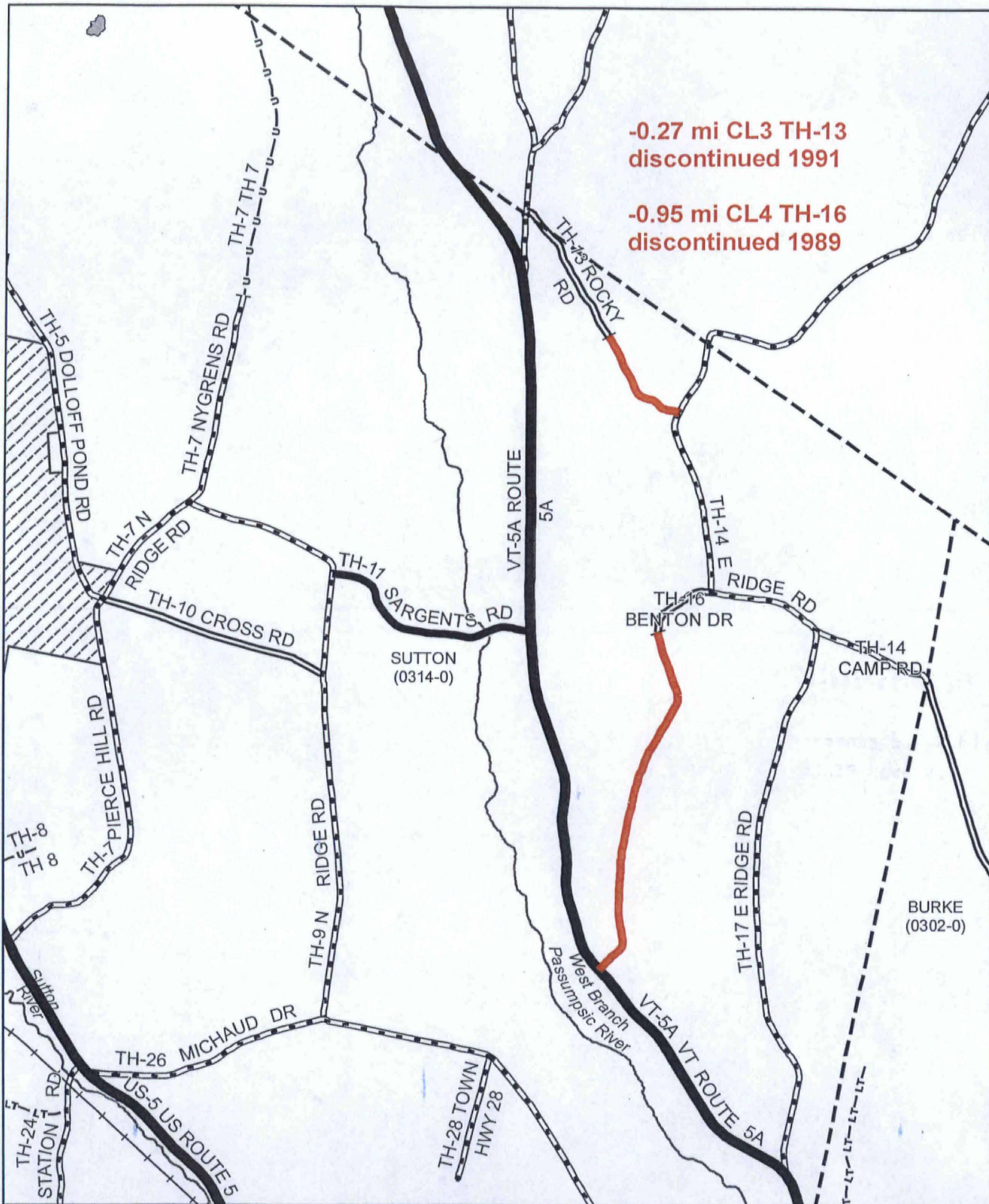
(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of 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://legislature.vermont.gov/statutes/section/19/003/00305>

December 2016



-0.27 mi CL3 TH-13
discontinued 1991

-0.95 mi CL4 TH-16
discontinued 1989

Mileage Certificate Changes 2017
SUTTON (0314-0)

Mapping Section
Division of Policy and Planning
Vermont Agency of Transportation -- April 5, 2017



MILEAGE CERTIFICATE CHANGES 2017

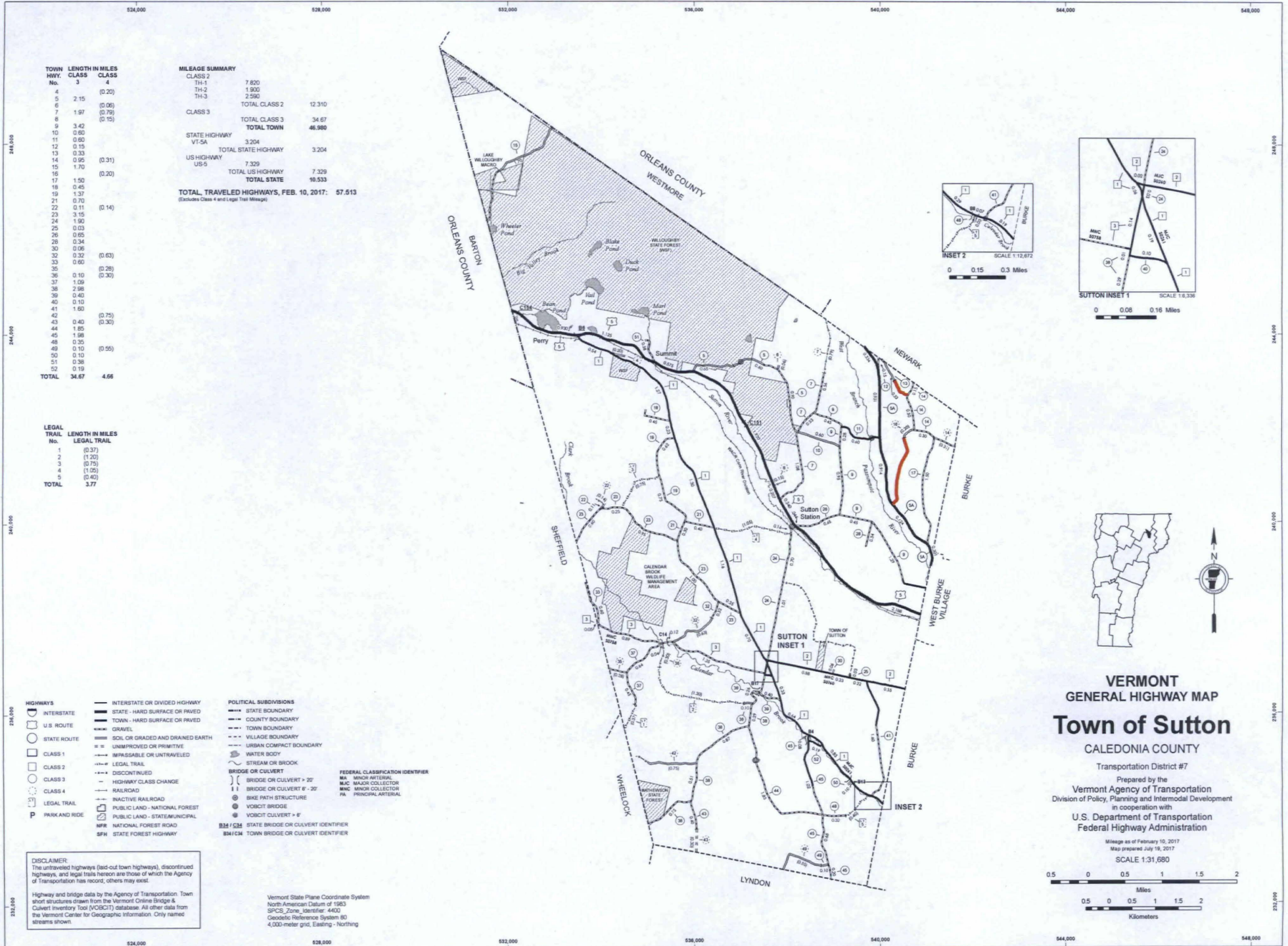
TOWN HWY. No.	CLASS 3	CLASS 4	LENGTH IN MILES
4			(0.20)
5	2.15		
6		(0.06)	
7	1.97	(0.79)	
8		(0.15)	
9	3.42		
10	0.60		
11	0.60		
12	0.15		
13	0.33		
14	0.95	(0.31)	
15	1.70		
16		(0.20)	
17	1.50		
18	0.45		
19	1.37		
21	0.70		
22	0.11	(0.14)	
23	3.15		
24	1.90		
25	0.03		
26	0.65		
28	0.34		
30	0.06		
32	0.52	(0.63)	
33	0.60		
35	0.10	(0.28)	
37	1.09	(0.30)	
38	2.98		
39	0.40		
40	0.10		
41	1.60		
42		(0.75)	
43	0.40	(0.30)	
44	1.85		
45	1.98		
48	0.35		
49	0.10	(0.55)	
50	0.10		
51	0.38		
52	0.19		
TOTAL	34.67	4.66	

LEGAL TRAIL No.	LENGTH IN MILES
1	(0.37)
2	(1.20)
3	(0.75)
4	(1.05)
5	(0.40)
TOTAL	3.77

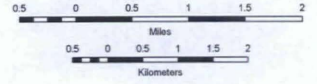
MILEAGE SUMMARY

CLASS 2		7.620
TH-1		1.900
TH-2		2.590
TH-3		
TOTAL CLASS 2		12.310
CLASS 3		
TOTAL CLASS 3		34.67
STATE HIGHWAY		
VT-5A	3.204	
TOTAL STATE HIGHWAY	3.204	
US HIGHWAY		
US-9	7.329	
TOTAL US HIGHWAY	7.329	
TOTAL STATE	10.533	
TOTAL TRAVELED HIGHWAYS, FEB. 10, 2017:	57.513	

(Excludes Class 4 and Legal Trail Mileage)



VERMONT GENERAL HIGHWAY MAP
Town of Sutton
 CALEDONIA COUNTY
 Transportation District #7
 Prepared by the
Vermont Agency of Transportation
 Division of Policy, Planning and Intermodal Development
 in cooperation with
U.S. Department of Transportation
Federal Highway Administration
 Mileage as of February 10, 2017
 Map prepared July 10, 2017
 SCALE 1:31,680



DISCLAIMER
 The untraveled highways (old-out town highways), discontinued highways, and legal trails herein are those of which the Agency of Transportation has record, others may exist.
 Highway and bridge data by the Agency of Transportation. Town short structures drawn from the Vermont Online Bridge & Culvert Inventory Tool (VOBICIT) database. All other data from the Vermont Center for Geographic Information. Only named streams shown.

Vermont State Plane Coordinate System
 North American Datum of 1983
 SPCS Zone Identifier 4400
 Geocentric Reference System 80
 4,000-meter grid, Easting - Northing

TOWN OF SUTTON
SUTTON, VERMONT 05867

November 13th 1989

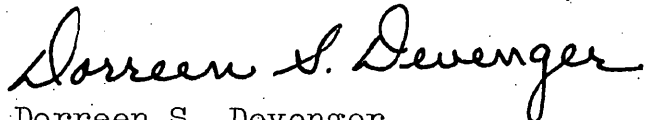
PETITION TO DISCONTINUE A PORTION OF TOWN
HIGHWAY 16

The Selectmen of the Town of Sutton have been petitioned by Norman Legge, William McCormack and Robert Williams to discontinue a portion of town highway 16.

The portion to be discontinued is described as follows: Beginning 2/10th of a mile south of the junction of town highway 14 and town highway 16 and continuing approximately 5016 feet in a southerly direction along the present town highway 16 to the junction of said town highway 16 and U.S. Route 5A.

There will be a public meeting held on November 30th 1989 at the Town Office at 7:30 P.M. to hear arguments as to the disposition of said road.

Attest:



Dorreen S. Devenger
Sutton Town Clerk

cc: Raymond Allen & Betty Jackson
Norman and Marjorie Legge
William and Claudia McCormack
Robert and Carol Williams
Bruce and Barbara Spaulding
The Caledonian Record

Selectmens Meeting
November 30th 1989

Present: Norbert Patoine and Stanley Weed Selectmen
Visitors: Bill McCormack and Norman Legge
Reporter: Karen Kristen

Minutes of last meeting read by Clerk
Overweight permits signed for the King George Farms and Dennis Bathalon

No one appeared to challenge the discontinuance of a portion of Town Highway #16. Selectmen are agreeable but suggest that an agreement be drawn up and signed by all landowners bordering the road and recorded in the Sutton Land Records to avoid problems in the future.

Clerk reported that recording fees for this month total \$800.30. Check from the State of Vermont in the amount of \$256.00 for Judicial fines.

Dale Stevens is back on the water line since Paxman had his auction.

School payment to the Town for clerk's services was \$5220.00.

Water sample for November shows no contamination.

Clerk turned over to the school \$308,483.37 in full on taxes.

Received from the State of Vermont \$11,800.66 in part payment of Land Use

Clerk reported that the Equipment Account is a NOW account.

Finances are as follows: General Fund \$19,003.08 Act 200 Funds \$1495.45
School Account \$17,842.44 Equipment Fund \$7,086.10 Cash \$646.46

A true record of minutes

Attest:

Harreen S. Deverger
Town Clerk

P E T I T I O N

TO DISCONTINUE A PORTION OF TOWN HIGHWAY 16

The selectmen of the Town of Sutton have been petitioned by Norman Legge, William McCormack and Robert Williams to discontinue a portion of Town Highway 16.

The portion to be discontinued is described as follows: beginning 2/10th of a mile south of the junction of Town Highway 14 and Town Highway 16 and continuing approximately 5,016 feet in a southerly direction along the present Town Highway 16 to the junction of said Town Highway 16 and U.S. Route 5A.

There will be a public meeting held on Nov. 30, 1989 at the town office at 7:30 p.m. to hear arguments as to the disposition of said road.

Attest: DORREEN S. DEVENGER, Sutton Town Clerk

TOWN OF SUTTON DISCONTINUATION OF PORTION OF TOWN HIGHWAY 13

At a request from Clayton Ham to discontinue a portion of Town Highway 13, the Selectmen of Sutton will hold a public meeting to hear comments concerning the discontinuation on June 27, 1991 at 7:30 p.m. at the Town Clerk's Office in Sutton, Vermont.

The portion of the road to be considered is described as follows: beginning at the intersection of Town Highway 13 with Town Highway 14 and extending in a northerly direction for a distance of 1450 feet along Town Highway 13. Clayton Ham is the owner of land on both sides of the portion of road in question.

Signed: Ervin S. Weed, Jr.
Norbert D. Patoine
Wesley E. Ward
Selectmen of Sutton, Vt.

6/21/91

Selectmens Meeting
June 27th 1991

Present: Norbert Patoine, Stanley Weed and Wesley Ward

Visitors: Candice Hazen, Bill Helms, Robert Belanger, Lisa Berry, Mike Demasi (Hopkins & Reynolds Insurance and Gerry Stork, reporter for the Caledonian

Minutes of the May Selectmens meeting read and approved.

Water sample for June shows no contamination

Report from the Health Department regarding their test for volatile Organic chemicals. None were found in the water samples.

Chuck Belanger asked if coverage for a chiropractor could be included in his insurance coverage. The cost would be about \$2.50 per month. Motion was made to add the chiropractic coverage by Norbert Patoine and seconded by Wesley Ward. All voting in favor of the motion.

Overweight permit signed for Paul Doyon.

Contract for summer work signed with Pike Industries for \$66,930.00

Annual financial plan signed for the Agency of Transportation.

Hattie Gray has presented the town with a Child's County Gazetteer and Directory of Caledonia and Essex Counties covering the years 1764-1887 with a map of Caledonia and Essex counties included. She also gave an old map of Sutton that gave the names of people living in town during the 1800's. These will be kept in the vault for reference.

The Grand List has been set at 363,623.50

Taxes needed for budgets	School	\$351,230.00
	General	46,605.00
	Highway	96,500.00
	Total	<u>494,335.00</u>

\$1.36 raises \$494,527.96 \$1.37 raises \$498,164.20 \$1.38 raises \$501,800.43

Norbert Patoine made the motion that the tax rate be set at \$1.38. this was seconded by Wesley Ward. All voted in favor of the motion.

School rate will be .966 and will raise \$351,260.30

General rate will be .148 and will raise \$53,816.28

Highway rate will be .266 and will raise \$96,723.85

Total tax rate is \$1.38 Total taxes raised \$501,800.43

Letter received from Joan Bicknell, Newark Town Clerk on reclassifying TH#7 .790 miles of this road being Class 4 Meeting will be held July 17th

where the road meets roads in Newark and Westmore.

Letter received from Norman Messier stating that the tax request for the school remains at \$351,230.00.

Letter from the Department of Health on Renovations and Demolitions of buildings. They must be inspected for asbestos.

Letter from Portland Pipe Line Corporation concerning their plans for leasing portions of their right of way to Granite State for a new natural gas pipeline.

Permit application received from the Agency of Transportation for a new intersection of TH#26 and Rte 5.

Bob Belanger wants to know about the Cemetery fence. The Fire Department is to do the work this year. He inquired about the stones that have fallen in the North Ridge Cemetery. Anair wants to bid on cleaning and repair. He will send in a price list. Bob is to fix the stones that he can using the town equipment.

Lisa Berry wants a Bus Stop sign and 2 deaf child signs. Reg to check with Burke for signs near Tardiffs'

Candy Hazen brought in a petition signed by several people living on Pudding

Hill protesting the live wire that Bill Croft has laying across TH#45 and TH#49. The Selectmen to look into the problem. Croft's have already been told they have to move the wire.

Neal Weed has done some work in the North Ridge Cemetery, leveling the land.

Bill Helm is not able to continue managing the transfer station. He will stay with the recycling trailer until someone else takes over. Trailer was emptied today. Bill feels that the towns of East Burke, West Burke, Newark and Sutton should cooperate with their recycling programs

Mike Demasi of Hopkins and Reynolds insurance presented a statement of values (values up 5%). Stanley signed as Chairman of the Board.

No one attended to challenge the discontinuance of a portion of TH#13. Norbert Patoine made the motion which was seconded by Wesley Ward that 1450 feet of TH#13 should be discontinued. All voting in favor of the motion.

The finances are as follows:

School Account \$4,005.86 Cash \$126.09 Equipment Fund \$17,616.55
General Fund \$30,446.83

A true record of the minutes of the meeting.

Attest:

Sorreen S. Devenger

Town Clerk

Search Mail Search Web George Account Info Go Sign Out Home

Inbox Contacts Notepad Calendar

Switch to the newest Yahoo Mail

Compose Delete Reply Reply All Forward Actions Apply

Previous **One Quick Question**

- Inbox (2)
- Drafts
- Sent
- Spam [Empty]
- Trash [Empty]

Yahoo Search Find the Best Mattresses &...
Sponsored Explore top rated mattresses

TH 13 information Wednesday, February 1, 2017 8:37 AM S

From: "Clifford Shauna" <Shauna.Clifford@vermont.gov>
To: "George Colburn" <suttontownclerk@yahoo.com>
"Gall Weed" <suttontownclerkassist@yahoo.com>

Full Headers Printable View

3 Files	18 MB	Download All
TXT 10 MB	TXT 6 MB	TXT 2 MB
37879146 06.txt	21936958 18.txt	18900044 71.txt
Save	Save	Save

Joe called me regarding TH 13 and why it was reclassified by the state as Class 4. Please give him the attached.

See you this spring! Thanks!
Shauna
Forwarded Message: 3787914606.txt

TH-16 and TH-7 Friday, January 27, 2017 1:29 PM

From: "Croft Johnathan" <Johnathan.Croft@vermont.gov>
To: "Clifford Shauna" <Shauna.Clifford@vermont.gov>

2 Files	8 MB	Download All
JPG 4 MB	JPG 4 MB	
Save	Save	

Johnathan Croft
Vermont Agency of Transportation (VTrans)
Mapping Section
(802) 828-2600

johnathan.croft@vermont.gov

Forwarded Message: 2193695818.txt

TH-13 in Sutton Friday, January 27, 2017 1:27 PM

From: "Croft Johnathan" <Johnathan.Croft@vermont.gov>
To: "Clifford Shauna" <Shauna.Clifford@vermont.gov>

2 Files	5 MB	Download All
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Which of the following snack brands do you associate with delicious combination of natural cheese, nuts and dried fruit all in one snack?

SELECT ONE ANSWER

- Kraft Trios
- Sargento Balanced Breaks
- P3
- Hillshire Small Plates
- None of the Above

Vote For Results

Powered By Nielsen View Privacy Policy

5280
27
95

MEETING-PLANNI...

Meetings

Minutes

Misc

NEMCI

NEWS

NJPA Member #

NVDA

Other Town Cle...

P PIPE

Paul Brouha

Payroll

Permits

Planning-Minut...

Property tax

PSB

Recording

Retirement

Road Crew

School

Secretary of S...

Selectman Info

StateGrant Agr...

Taxes

th45 Pudding H...

Town Clerks

Town Roads

USDA RD

VERERANS

Veterans

Vitals

VLCT

VMCTA

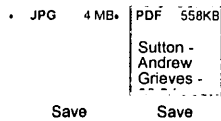
Voting Info

VT Dept Healt...

VT Fish & Game

Waste District

Water



Johnathan Croft
Vermont Agency of Transportation (VTrans)
Mapping Section
(802) 828-2600

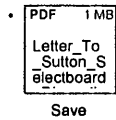
johnathan.croft@vermont.gov

Forwarded Message: 1890004471.txt

FW: Town of Sutton - Andrew Grieves -- 9/21/2015 Complaint Regarding Obstruction of Town Highways

From: "Croft, Johnathan" <Johnathan.Croft@vermont.gov>
To: "Clifford, Shauna" <Shauna.Clifford@vermont.gov>

• 1 Files 1 MB Download All



fyi

Johnathan Croft
Vermont Agency of Transportation (VTrans)
Mapping Section
(802) 828-2600

johnathan.croft@vermont.gov

From: Croft, Johnathan
Sent: Thursday, October 01, 2015 2:21 PM
To: Dunleavy, John <John.Dunleavy@vermont.gov>; Perron, Dale <Dale.Perron@vermont.gov>; Clifford, Shauna <Shauna.Clifford@vermont.gov>
Cc: Smith, Florence <Florence.Smith@vermont.gov>
Subject: RE: Town of Sutton -- Andrew Grieves -- 9/21/2015 Complaint Regarding Obstruction of Town Highways

Good afternoon,
Please find attached the letter that is going out to the Sutton Selectboard regarding the 3 highways in question.

Johnathan Croft
VTrans Mapping Section
(802) 828-2600

johnathan.croft@vermont.gov - please note the updated email address

From: Dunleavy, John
Sent: Thursday, October 01, 2015 1:18 PM
To: Croft, Johnathan; Perron, Dale; Smith, Florence; Clifford, Shauna
Subject: RE: Town of Sutton -- Andrew Grieves -- 9/21/2015 Complaint Regarding Obstruction of Town Highways

They could be under the misapprehension that a "pent road" allows locked gates.

John K. Dunleavy, Assistant Attorney General
Vermont Agency of Transportation
National Life Building (Mailing Address)
One National Life Drive
Montpelier, VT 05633-5001
(802) 828-3430 / (802) 828-2817 (fax)
john.dunleavy@vermont.gov

From: Croft, Johnathan
Sent: Thursday, October 01, 2015 1:08 PM
To: Dunleavy, John; Perron, Dale; Smith, Florence; Clifford, Shauna
Subject: RE: Town of Sutton – Andrew Grieves – 9/21/2015 Complaint Regarding Obstruction of Town Highways

Good afternoon all,

Here are some excerpts from the Sutton Selectboard Minutes regarding this issue:

Sutton Selectmen's Meeting - August 28, 2014 Draft

Andrew Grieves now presents a document and a map of two roads in Sutton that have been closed; Town highway 13 and 16. The discussion ensues that these roads were not closed properly, not recorded properly and needs to be reopened. He states that they are good trail roads and are important to tourists and that also they are good secondary roads if we have any storm damage. Scott states he will call Shauna with the State of VT to find out about this. George will look in the books to see if anything was previously recorded on these roads. We are in the process of going through the safe and replacing cabinets so it might help in locating the documents needed. Scott asked if we had answered all his questions and Andrew stated no but we had told him what we are doing to look into the problem. Scott said a reasonable time to find out the information is 30 days.

<http://suttonvt.org/wp-content/uploads/2014/03/Select-Board-Meeting-AUGUST-282014.pdf>

Sutton Selectmen's Meeting Draft - September 25, 2014

Town Highway 7 was discussed: The select board has been approached by the Vermont Horse Council to see if they can use TH 7 (between Nygren Road and Route 5A - Newark/ Westmore) to ride their horses. Tom Featheringham approached the board to explain his position. He passed out a letter from David Meyers and from the Town of Westmore. Tom explained that the Act 250 permit states no access through Nygren Road. All access will be through 5A only and a barrier will be put up. TH 7 is classified as class 4. Westmore documented TH7 as a pent road. Title 19 VSA 1111 sub-chapter 11 Use of Right away. No one will do anything to a road unless they are granted permission. District 7 has listed TH 7 as a class 4 untraveled. The Town of Sutton has never thrown up this road. Tim feels that we should get advice from District 7. Tom maintains that this not for the public good to open this road for the VT Horse Council to clear and ride on. Tom would like to suggest that the selectmen give Tom a letter and state "use for pedestrian traffic only and has no other use". Tom stated the major issue is the ATV's using road. Legally this is a class 4 road, untraveled and no one has asked to have it maintained. If the road

is questionable, the VT Horse Council will fix the bridge and keep the road open. Before any decisions are made the board needs to receive advice from legal counsel and talk to Shauna at District 7.

Motion was made by Tim to table this until we get advice from legal counsel on TH 7. Joe seconded the motion. Scott will call Peter and give him the document that was received tonight. If is in class 4 untraveled, people need permission from the select board to clear it and find out maintenance responsibility. Scott called for a vote to table the TH 7. All voted affirmative. Motion passed

Bill McCormack would like to know where we are on TH 16. It was advertised in the paper and the neighbors were contacted. Scott stated that this is work in progress. As of a few days ago, we are still working on cleaning out the vault with some things have been recovered, but book 5 is still not found. Since there is a reference to book 5, we need to still look for it. Our town attorney stated that we should start from the start. Scott explained that we need a little bit more time, and we have not forgotten it.

<http://suttonvt.org/wp-content/uploads/2014/10/Sutton-Selectboard-Meeting-Minutes-September-25-2014.pdf>

DRAFT - Sutton Selectmen's Meeting -
October 30, 2014

TH 7; Tim read a letter from the Town Attorney Peter Morressette. (attached) Tim Noyes asked for a definition of "maintenance". The response given was: A person, other than abutting landowners have 1st rights to the wood in the road. Others need the consent of landowners/selectmen. Title 1111, all maintenance brought before the select board. Tim explained if roads are not accessible, any maintenance has to have the selectmen's permission. Patricia Branon, President, VT Horse Council sent a letter about cleaning the roads for horse access and travel and for safety, etc. Tim discussed pent roads; class 4 roads ; motorized vehicles; selectmen can make motion to make a pent road; Scott talked about culverts and bridges when reclassified on class 4 roads. David & Becky Meyer adjoining land abutters request with Tom Featheringham to make it a pent road and have the previous request of cleaning up the road a separate issue. West of Newark be a pent road; Nygren .56 (1/2 mile); .79 untraveled/impassable to Newark border. Scott: the objective is to keep motor vehicles out unless deemed by selectmen. Joe made a motion to allow clearing requested by VT. Horse Council the width of road to clear traveled portion clearing of saplings hanging over road, downed trees to allow safe passages on horseback. Motion failed with no second.

Tim made a motion to permit Vt. Horse Council to make TH 7 (class 4) passable for safe horse traffic. Joe seconded motion. Scott called for a vote. All voted affirmative. Motion passed Tim made motion to turn a pent road, class 4 section TH7, no motorized traffic with gate of 8' in width (turn .79miles class 4 TH7 Sutton to a pent road with no motorized traffic of any kind with a gate of 8' in length with landowners having permission to use as needed including utilities. Joe seconded motion. Scott made a motioned to amend: property owner, abutters including utilities and first responder emergency vehicles. Tim seconded amendment. Scott called for a vote. All voted affirmative. Amendment Passed. Scott requested Rick to put a "dead end" sign on Nygren's Road

<http://suttonvt.org/wp-content/uploads/2014/03/Sutton-Selectboard-Meeting-Minutes-October-30-2014.pdf>

There doesn't seem to be any definitive discontinuance referenced in the minutes that I have seen, so I am crafting a letter to the Town Selectboard seeking information on the current status of the highways.

Johnathan Croft
VTrans Mapping Section
(802) 828-2600

johnathan.croft@vermont.gov – please note the updated email address

From: Dunleavy, John
Sent: Thursday, October 01, 2015 11:42 AM
To: Croft, Johnathan
Cc: Perron, Dale; Smith, Florence
Subject: RE: Town of Sutton -- Andrew Grieves -- 9/21/2015 Complaint Regarding Obstruction of Town Highways

Sure.

John K. Dunleavy, Assistant Attorney General
Vermont Agency of Transportation
National Life Building (Mailing Address)
One National Life Drive
Montpelier, VT 05633-5001
(802) 828-3430 / (802) 828-2817 (fax)
john.dunleavy@vermont.gov

From: Croft, Johnathan
Sent: Thursday, October 01, 2015 11:05 AM
To: Dunleavy, John
Cc: Perron, Dale; Smith, Florence
Subject: RE: Town of Sutton -- Andrew Grieves -- 9/21/2015 Complaint Regarding Obstruction of Town Highways

Good morning John,

Can I send a copy of the letter and map that was sent my Mr. Grieves as an attachment to the letter that I am sending to the Town?

Johnathan Croft
VTrans Mapping Section
(802) 828-2600

johnathan.croft@vermont.gov – please note the updated email address

From: Dunleavy, John
Sent: Thursday, October 01, 2015 10:50 AM
To: Croft, Johnathan
Cc: Perron, Dale; Smith, Florence
Subject: RE: Town of Sutton -- Andrew Grieves -- 9/21/2015 Complaint Regarding Obstruction of Town Highways

Thanks, Johnathan. Yes, it does sound like you should follow up with the Town.

John K. Dunleavy, Assistant Attorney General
Vermont Agency of Transportation
National Life Building (Mailing Address)
One National Life Drive
Montpelier, VT 05633-5001
(802) 828-3430 / (802) 828-2817 (fax)
john.dunleavy@vermont.gov

From: Croft, Johnathan
Sent: Thursday, October 01, 2015 10:48 AM

To: Dunleavy, John
Cc: Perron, Dale; Smith, Florence
Subject: RE: Town of Sutton -- Andrew Grieves -- 9/21/2015 Complaint Regarding Obstruction of Town Highways

Good morning John,

We have no changes recorded for either TH-7, TH-13 or TH-16 since their classifications were defined by Act 63 in 1973. The Town of Sutton has only made changes on the Mileage Certificates once since 1993 and this was due to the addition of legal trails. If they have discontinued these highways, none of the documentation has been provided to us and there has been no catalyst for changes to the Town Highway Maps.

What does concern me is that if the TH-13 was discontinued, then the Town is receiving state aid for 0.6 miles of class 3 town highway that they no longer are responsible for. I can follow up with the Town regarding these highways to see if they have been discontinued or not, and if so, possibly seeking some state aid reimbursement for the number of years that have passed.

Johnathan Croft
 VTrans Mapping Section
 (802) 828-2600
johnathan.croft@vermont.gov - please note the updated email address

From: Dunleavy, John
Sent: Thursday, October 01, 2015 10:02 AM
To: Perron, Dale; Croft, Johnathan
Cc: Smith, Florence
Subject: Town of Sutton -- Andrew Grieves -- 9/21/2015 Complaint Regarding Obstruction of Town Highways

Dale and Johnathan:
 Do either of you have any background on this situation?
 << File: Sutton - Andrew Grieves - 09 21 2015.pdf >> << File: Sutton - Andrew Grieves - 09 21 2015(2).pdf >>
 John K. Dunleavy, Assistant Attorney General
 Vermont Agency of Transportation
 National Life Building (Mailing Address)
 One National Life Drive
 Montpelier, VT 05633-5001
 (802) 828-3430 / (802) 828-2817 (fax)
john.dunleavy@vermont.gov

Compose

Delete Reply Reply All Forward Previous Next

Sutton Selectmen's Meeting

August 28, 2014 Draft

Chairman Scott Spencer called the meeting to order at 6:05 P.M.

Attending the meeting: Scott Spencer, Tim Simpson, Joe Solinsky, Stacy Spencer, George Colburn, Dee Colburn, Andrew Grieves, Sharon Paton and Laverne Paton

Motion was made by Joe to accept the minutes of July 31, 2014. The motion was seconded by Tim. Scott asked for any discussion, corrections or additions. Hearing none; all in favor to accept minutes as printed, all voted yes.

Scott Spencer asked if there were any new items to be added to the agenda. Andrew Grieves asked to be added and Tim Simpson on behalf of Gary Leach also asked to be added to the agenda.

Scott asks for a motion to accept the treasurer's report. The motion was moved by Tim and seconded by Joe. Scott asked for any discussions. Questions were asked on account balances. Scott asked a question on the reserve account for paving and George answered. The cemetery fund balance and interest was brought up totaling \$8326.03. Tim asked a question on the expenses of WH3700 truck. Joe asked about the expenses and work done on the 3500 truck. Scott stated we are already over budget on the expenditures. There was open discussion on the spending balances and fund for the fire department. Scott asked if there were any more questions on the treasurer's report. He then asked if all were in favor to approve the report as printed. All voted yes.

The next discussion was regarding the delinquent tax report and balances. The report is discussed and all figures are gone over.

Tim, representing Gary Leach, states that Gary is in the process of designing the building, cost, etc of the new nitrate treatment system for the village water system. He needs info to meet with us in another week to 10 days to get the final ok to approve everything.

Andrew Grieves now presents a document and a map of two roads in Sutton that have been closed; Town highway 13 and 16. The discussion ensues that these roads were not closed properly, not recorded properly and needs to be reopened. He states that they are good trail roads and are important to tourists and that also they are good secondary roads if we have any storm damage. Scott states he will call Shauna with the State of VT to find out about this. George will look in the books to see if anything was previously recorded on these roads. We are in the process of going through the safe and replacing cabinets so it might help in locating the documents needed. Scott asked if we had answered all his questions and Andrew stated no but we had told him what we are doing to look into the problem. Scott said a reasonable time to find out the information is 30 days.

Sharon Paton with the VT Horse council presents a letter regarding the Nygren road (a class 4 road) going from Sutton to Westmore. They would like access to this road for the use of trail riding. This road has been closed and is not passable. She went to Westmore and they stated the road was closed

improperly/illegally and they removed the lock on the gate across the road. All they are asking is access to this road and permission to cut trees blocking the road. They will cover all costs and labor. Scott will call district 7 and Tim will call the Nygrens. This is time sensitive as they would like to schedule a fall ride. We are asking 30 days to get the answers. End discussion.

Gingue Sand has delivered 2000 yards more sand at the same price as this year and this will be billed in November 2015. We have saved money getting it early but we need to remember to budget this for next year.

Questions raised on Cedar Grove Dance Hall. Do they need a license as they only do private functions? George is going to check with VT City and Leagues to see if they need a permit/license to operate.

Scott asks for a motion on the floor to transfer \$11447.04 from the firehouse fund to the general fund to pay off expenses for the fire department. Tim seconds. Funds will be moved.

Checks and warrants are signed. The check to Larry Seymour is refused. We need breakdown of expenditures. Labor can be paid to Larry but other monies need to be paid directly to the fire department or to the vendor.

Correspondence is gone over. No questions or problems.

Do we bid on salt or go to district 7 for this? There are two companies available; Cargill or American Rock Salt. Salt prices right now are 78 dollars a ton.

Road complaint was filed about Simpson Hill and the town took care of it.

There is a complain letter from Kelly Willey regarding the use of her ATV's and loud truck on the road. They will not make any changes on what they do as she states that members of the town disregard the rules themselves.

Scott makes a motion to adjourn the meeting at 7:48 P.M. Joe moves this. Tim seconds motion. Meeting adjourned.

A True Record of Minutes Draft

Stacy C. Spencer

Sutton Selectmen's Meeting
Sutton Town Offices
March 27, 2014

Chairman Joe Solinsky called the meeting to order at 6:06PM

Attending the meeting: George Colburn; Gail Weed; Pierre Dupuis; Danielle Fortin; Andrew Grieves; Gary Grieves; Renee Kelly; Rick Jackson; Debra Jackson; Dan Jackson; Pat Jackson; Dianna Simpson; Gary Leach, Tata & Howard; John Neilon; Clint Gray; Mary Gray; Scott Spencer; Tim Simpson; Joe Solinsky; Larry Francis

First order of business:

Floor opened for Chairman: Joe Solinsky nominated Scott Spencer for Chairman; 2nd by Tim Simpson. Joe explained the Health Officer goes along with the Chairmanship. Scott Spencer accepted the nomination for Chairman and Health Officer. All voted in favor

Tim Simpson motioned to use Roberts Rules of Order to run the meetings. Joe 2nd motion. All voted in favor

Scott thanked Joe for his year of service as Chairman. Joe stated this certainly was an interesting year.

The January 26, 2014 minutes were not provided and unable to approve.

Tim made a motion to accept February 27, 2014 minutes as printed. Joe 2nd motion. No discussion; Scott called for a vote. All voted in favor

Motion was made by Tim to approve the March 19, 2014 minutes; motion 2nd by Joe. Discussion was the last paragraph page 2 should read: ".....There was to be an agreement signed between the P & L Riendeau Trucking and Washington Railroad about upgrading the crossing". All voted in favor with corrections.

Tim made a motion to reimburse Clint Gray the bond fee of \$100.00, to bond Mary for \$25,000.00. Joe 2nd motion. All voted in favor

Furnace quotes were reviewed: Quotes submitted: Harris \$8,484.00; Propane Depot \$7,486.69; Jim's Burner Service \$8,145.00.

Motion was made by Joe to use Propane Depot to install the new furnace in the town office with the price quote of \$7,486.69. Tim 2nd motion. All voted in favor

George explained that a new office computer was needed and he received a quote Northeast Computer would cost \$700.00 for a complete system. George stated this will put them over budget. Also, the binding machine has not been paid for yet is part of the reason of being over budget.

Tim moved to authorize the new computer system for \$700.00 for the office. 2nd by Joe. All voted in favor

Clint Gray suggested that the lap top could be used for delinquent taxes and minutes for town business.

George received a letter from the Governor's office for the position of Justice of the Peace. Also a letter was received from Hank Parker the Chair of the Republican caucus stating they do not want to put a republican name in for that position, but would support Danielle Fortin, being an Independent. Tim nominated Danielle Fortin, Joe 2nd nomination. Scott asked that George send an e-mail to Sandy Spaulding at the Governor's office stating that the Sutton Select Board nominated Danielle Fortin for the position of Justice of Peace. All voted in favor

Gary Leach, Tata & Howard. Tim stated we hired Leach engineering for the water system for the town and are in the process to move forward. Gary believes the nitrate removal would be the way to go, but in order to receive funding either from the state or USDA, alternatives need to be given. Since the nitrate is at levels that the USDA considers being a health hazard we would be considered for a grant of up to 75% of the cost. The state also would have zero to low interest loans available. The first date of July 1 to have this completed by was unrealistic, so Ashley Lutt went to the compliance department and they gave Sutton a date of December 1, 2014 to be completed. The selectmen signed the application to begin the process. Both agencies, USDA and State, need to approve this application; it will take about 30 days. The select board also reviewed the engineering agreement, but did not sign it since it was not needed to go with the application. Tim will be the contact person with the backup of Scott, if Tim is not available.

Joe wants to make sure that they, the state or USDA, won't let us go directly to the removal of a nitrate system. Joe said it sounds like the arena has changed since the last meeting even if we choose not to use any grants. Gary stated because this is a public water supply system, we have to conform. Gary stated that if the town used the state or USDA loans, they are both low interest rates with no penalty if it is paid off early.

Umbrella: Renee Kelley, an Associate of Umbrella and a resident of Sutton explained to the selectmen: At the 2013 Town meeting, the voters had approved an appropriation of \$500.00 to Umbrella but it was never paid to Umbrella. She is here requesting the money be paid to Umbrella for the 2013 appropriation.

Motion was made by Tim that Umbrella be paid \$500.00 appropriation that was approved at the 2013 town meeting. Motion 2nd by Joe. All voted in favor

Tim asked to have the floor: He stated he sign a warrant from the water account for an electric bill from October 2013 that was never paid, it is unclear if there is another bill from August that was not paid and it is being checked on now

George stated that Mr. Soucy wants his taxes abated and he sent that down to Peter Morresette's office.

Larry Francis explained on Friday morning the roads were icy and a car slid into his two cars. Debby Jackson received a call from VSP dispatch at 1:35AM Tim was called at 12:57AM Scott was called earlier. Larry stated the state police said that the roads have to be emergency accessible. The officer said it took him 20 minutes from the Sutton town line to Larry Francis house. Both his cars were totaled by being hit by another vehicle because of icy roads. Larry is now renting a vehicle. Larry thinks the town should be responsible for the extra \$2163.76 that it is costing him. Larry has been here for 8 years, the

town ruined his well, Rick dug up the access to the back yard, dug a culvert out, now this. The board asked about the insurance company of the vehicle that struck his vehicles and why they are not paying 100%. Recommendation by Scott, the town does not have responsibility for this, the insurance is stating it is not responsible for the \$2163.76. Scott asked is this is the difference from their payoffs and what the vehicles are worth? Larry said yes. The Board is recommending Larry to hire a lawyer, he said he did and the lawyer said to come to the selectmen. Larry does not know if there were any tickets given to the driver. The selectmen don't feel the town is liable for this.

Andrew Grieves appeared before the board. Town Highway 16 is blocked and it is a public road.

Andrew Grieves wanted a letter read into the minutes:

"I am here to request that the Town of Sutton re-open the Benton Road (Town Highway 16). Someone has posted a no trespass sign and the road has been roped off. Town Highway 16 is, and always has been, a public town road. This open and public roadway has been available for driving, hiking, walking, horseback riding and many other uses. It is illegal to restrict the use of this road by a private citizen. Thank you, Andrew Grieves"

Scott wants to hear from District 7 on this and do some research from past minutes. Scott is asking for some time to research this. Debby Jackson will call Ben McCormack to see if he has documentation on this.

Pat Jackson has a letter from Mrs. Beth Townshend requesting a 4 parcel burial lot for her family.

Motion was made by Joe to approve a 4 plot burial lot to Beth Townshend in the Sutton Village Cemetery. Motion 2nd by Tim. All voted in favor

Mary asked the selectmen if she could ask Sue Cheney what the cost would be to clean the office once a month. The town office is very dirty and looks like it has not been cleaned in a year. Mary will research the cost. Scott stated he wants a new Shark Vacuum cleaner for this building. This can be purchased at Wal-Mart for \$225.00, it is bag-less/upright. Suggestion was also to call Mike to get rid of the cluster flies.

Tim made a motion to authorize George or Gail to acquire a Shark vacuum cleaner for the office building. Joe 2nd the motion. All voted in favor

Mary Gray agreed to take the minutes at selectmen board meeting will receive \$12.00/hr. She did request that the meetings not go longer than 3 hours. The board seemed to think that they did not want them to go that long either.

Tim made a motion to pay \$12.00 per hour for minutes taken for board meetings. Joe 2nd motion. All voted in favor.

Gail Weed handed a letter to the selectmen requesting that the position of Assistant Town Clerk/Treasurer be reclassified to a full time position with full benefits. The selectmen asked what full benefits would be and it was explained by George, health benefits, vacation/sick time and retirement. Gail feels that the 16 hours the previous Town Clerk budgeted for is not sufficient to complete the work. Since this is personnel, the selectmen wanted to know if Gail would like to have this conducted in executive session, she declined, stating she did not need it in executive session.

Gail has been with the town since December 20, 2012. The selectmen stated to George that they control the budget, but George should come before the board to ask to have this position be full time since he is the one that hires his assistants.

George requested from the selectmen the position of Assistant Town Clerk/Assistant Treasurer be changed from a part time position to a full time position with benefits.

Scott wants to know if they want to keep the meeting open or go into executive session. George did not have a problem keeping the meeting open.

Scott said we need to put a motion on the floor to fund the assistant position; make a motion to turn it from part time to full time; then motion the pay scale.

Gail stated she would forgo the retirement this year if George decided to keep her on, she will ask for retirement in next year's budget

Tim made a motion to turn the Assistant Town Clerk/Treasurer position into full time for 30 hours a week at the same per hour rate. This position is now receiving \$13.50/hr. Motion 2nd by Joe. All voted in favor

George stated he will be changing the office hours by closing Friday afternoons.

A special meeting needs to be set up for paving bids.

Correspondence: George needs a signature from the select board to have Gail put on all the checking/savings accounts.

Selectmen handled correspondence

Treasurer report:

Gail said there is \$10,000.00 from the state transportation that she has to do research on. George reviewed the treasurer's report that Gail prepared for the board and he is comfortable with it

Tim made a motion to accept the treasurer's report. Motion 2nd by Joe. All in voted favor

All warrants were signed along with the checks.

Adjourned at 9:00PM

Draft Submitted

Mary Gray

Accepted by Selectboard April 24, 2014



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

Agency of Transportation

Telephone: 802-828-3666
 Fax: 802-828-2334
 Email: Kerry.Alley@vermont.gov

Chair, Selectboard
 Sutton, c/o Town Clerk
 167 Underpass Rd
 Sutton, VT 05867

January 2017

TO: TOWN / CITY / VILLAGE CLERK AND SELECTBOARD / ALDERMEN / TRUSTEES

Enclosed is your 2017 **Certificate of Highway Mileage**. This Certificate must be completed in order to determine your town's share of state aid for town highways for Fiscal Year 2018, and to ensure that your Town Highway Map remains current. Please note there will be no additional opportunities to submit town highway changes before the 2017 statutory deadline for mapping all Class 1, 2, 3 and 4 Town Highways and Legal Trails, as specified in 19 V.S.A. § 305(c).

Changes in mileage or highway classification, including any additions, alterations, or discontinuances made by your selectboard this past year, should be entered on this certificate. If there are changes that occurred before this past year that we have not shown on the Town Highway Map, please let us know so we can update our maps.

In filling out the Mileage Certificate, it is important to:

- >> Enter mileage and classification changes on PART I and PART II of the Certificate.
- >> Provide supporting documentation sufficient for the Mapping Section to:
 - Map the change
 - Verify the mileage
 - Demonstrate the change was made according to State statute
- >> If you have no changes, you may simply check the box in PART II of the Certificate.
- >> Always sign Part III - Town Clerk, Selectmen, etc.

Please refer to the enclosed instructions, checklist, and guidelines as needed. We have also included a reduced size copy of your current Town Highway Map and a Certificate of Completion and Opening should you need it to document new town roads. Additional information and copies of these enclosures can be found online: <http://vtrans.vermont.gov/planning/maps/mileage-certificates>.

To effectively process all the mileage certificates in a timely manner and to assure the completion of the mileage summaries, it is important that towns submit the certificates on time. **Certificates must be postmarked on or before February 20, 2017. Certificates that are postmarked after February 20, 2017 may not be processed.**

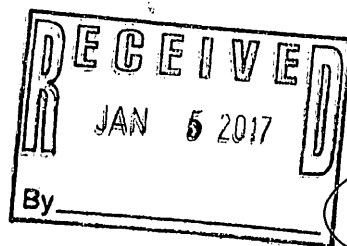
After the Agency has approved and signed the certificate, we will send you a copy. Please contact me if you have any questions.

Sincerely,

Kerry Alley

Kerry Alley
 Mileage Certificate Specialist

Enclosures



CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2017

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2017 to:
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section
One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of SUTTON in CALEDONIA County
on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305,
added 1985, is as follows:

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

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

* 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".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
-0.60 mi CL3 TH-13 reclassified as CL4 Not Up To Standards (NUTS) pursuant to 19 V.S.A. 305(a)
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 of Jeffrey J. Johnson, Scott J. Johnson, and Tom Simpson.

T/C/V Clerk Signature:

Date Filed: 1-26-17

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:



State of Vermont
Hearings Division
One National Dr.
Montpelier, VT 05633-5001
vtrans.vermont.gov

[phone] 802-828-2016
[fax] 802-828-2817
[ttd] 800-253-0191

Agency of Transportation

April 11, 2016

Mr. Andrew Grieves
P.O. Box 38
West Burke, VT 05871

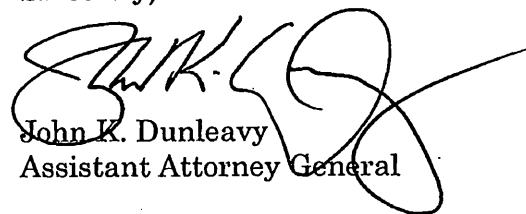
Re: Town of Sutton – Obstruction of Town Highways

Dear Mr. Grieves:

This is to acknowledge your letter of March 24, 2016 regarding alleged obstruction of Nuygrens Road (TH-7), Rocky Road (TH-13), and Benton Road (TH-16) by abutting landowners.

I have not heard anything from VTrans' District #7 Transportation Administrator Dale Perron or VTrans GIS Database Administrator Johnathan Croft about this situation. I will remind them of your continuing concern.

Sincerely,



John K. Dunleavy
Assistant Attorney General

cc: Dale L. Perron, District #7 Transportation Administrator
Johnathan F. Croft, GIS Database Administrator



Alley, Kerry

From: Clifford, Shauna
Sent: Monday, April 11, 2016 10:50 AM
To: Croft, Johnathan; Dunleavy, John; Perron, Dale
Cc: Oddy, Kevin; Smith, Florence; Alley, Kerry; Trunzo, Michael
Subject: RE: Town of Sutton -- Andrew Grieves' Complaint Regarding Obstruction of Town Highways

I do remember the letter from Mr. Grieves and that Johnathan had corresponded with the town regarding the situation. I had let Johnathan know that if he needed me to do anything, to let me know. I can say that when I met with the town this past spring, nothing was mentioned about the situation. Perhaps a reminder letter is in order? Again, if I am needed to assist, just let me know.

Shauna

From: Croft, Johnathan
Sent: Monday, April 11, 2016 10:06 AM
To: Dunleavy, John <John.Dunleavy@vermont.gov>; Perron, Dale <Dale.Perron@vermont.gov>
Cc: Oddy, Kevin <Kevin.Oddy@vermont.gov>; Smith, Florence <Florence.Smith@vermont.gov>; Clifford, Shauna <Shauna.Clifford@vermont.gov>; Alley, Kerry <Kerry.Alley@vermont.gov>; Trunzo, Michael <Michael.Trunzo@vermont.gov>
Subject: RE: Town of Sutton -- Andrew Grieves' Complaint Regarding Obstruction of Town Highways

Good morning John and Dale,

Following the receipt of the letter from Mr. Grieves, Michael Trunzo from our office did a review of the roads and found them not to be "up to standard" and not maintained. I sent the attached letter to the Town of Sutton seeking clarification on the highways classification.

We have not received any clarification from the Town of Sutton regarding these highways and they did not send any changes on this year's Mileage Certificate.

Johnathan Croft
VTrans Mapping Section
(802) 828-2600
johnathan.croft@vermont.gov – please note the updated email address

From: Dunleavy, John

Sent: Friday, April 08, 2016 11:46 AM

To: Perron, Dale <Dale.Perron@vermont.gov>; Croft, Johnathan <Johnathan.Croft@vermont.gov>

Cc: Oddy, Kevin <Kevin.Oddy@vermont.gov>; Smith, Florence <Florence.Smith@vermont.gov>

Subject: Town of Sutton -- Andrew Grieves' Complaint Regarding Obstruction of Town Highways

Dale and Johnathan:

Attached is the latest correspondence from Mr. Grieves.

Can either of you shed any light on this situation?

<< File: Sutton - Andrew Grieves - 03 24 2016.pdf >>

John K. Dunleavy, Assistant Attorney General
Vermont Agency of Transportation
National Life Building (Mailing Address)
One National Life Drive
Montpelier, VT 05633-5001
(802) 828-3430 / (802) 828-2817 (fax)
john.dunleavy@vermont.gov

Alley, Kerry

From: Croft, Johnathan
Sent: Monday, April 11, 2016 10:12 AM
To: Trunzo, Michael; Alley, Kerry
Subject: FW: Town of Sutton -- Andrew Grieves' Complaint Regarding Obstruction of Town Highways

FYI

Johnathan Croft
VTrans Mapping Section
(802) 828-2600
johnathan.croft@vermont.gov – please note the updated email address

From: Dunleavy, John
Sent: Friday, April 08, 2016 11:46 AM
To: Perron, Dale <Dale.Perron@vermont.gov>; Croft, Johnathan <Johnathan.Croft@vermont.gov>
Cc: Oddy, Kevin <Kevin.Oddy@vermont.gov>; Smith, Florence <Florence.Smith@vermont.gov>
Subject: Town of Sutton -- Andrew Grieves' Complaint Regarding Obstruction of Town Highways

Dale and Johnathan:

Attached is the latest correspondence from Mr. Grieves.

Can either of you shed any light on this situation?



Sutton - Andrew
Grieves - 03 2...

John K. Dunleavy, Assistant Attorney General
Vermont Agency of Transportation
National Life Building (Mailing Address)
One National Life Drive
Montpelier, VT 05633-5001

(802) 828-3430 / (802) 828-2817 (fax)
john.dunleavy@vermont.gov

AGENCY OF TRANSPORTATION

APR 08 2016

ASST. AG'S OFFICE

March 24, 2016

Transportation Unit
VT Attorney General's Office
John K. Dunleavy
Assistant Attorney General
109 State Street
Montpelier, VT 05609

Re: Town of Sutton - Obstruction of Town Highways

Dear Mr. Dunleavy,

About 6 months ago I contacted you in regards to the Obstruction of 3 roads in the Town of Sutton. I'll enclose some of the previous correspondence.

Two things:

First, the roads remain "blocked" and unusable. And two, I haven't heard from anyone.

Is there any chance you could give me an update on the matter? I would like to know if there is any new information since you inquired with Mr. Perron and Mr. Croft.

As always, Thank-You for your time in this matter.

Sincerely,



Andrew Grieves
P.O. Box 38
West Burke, VT. 05871



TELEPHONE:
(802) 828-2831

FAX:
(802) 828-2817

STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
VERMONT AGENCY OF TRANSPORTATION
NATIONAL LIFE BUILDING
ONE NATIONAL LIFE DRIVE
MONTPELIER, VERMONT 05633-5001

October 2, 2015

Mr. Andrew Grieves
P.O. Box 38
West Burke, VT 05871

Re: Town of Sutton – Obstruction of Town Highways

Dear Mr. Grieves:

This is to acknowledge your letter of September 21, 2015 regarding alleged obstruction of Nuygrens Road (TH-7), Rocky Road (TH-13), and Benton Road (TH-16) by abutting landowners.

I am checking with VTrans' District #7 Transportation Administrator Dale Perron and VTrans GIS Database Administrator Johnathan Croft to see if they know anything about this situation.

As a general legal principle, abutting landowners cannot obstruct the public's use of highways. A selectboard can authorize installation of stiles and unlocked gates (for control of livestock) on town highways that have been designated as "pent roads" (see 19 V.S.A. § 304(a)(5)); however, such highways must remain passable by the public (subject, of course, to getting out of one's vehicle to open and close the gate). The only way that an abutter could gain authority to close a town highway is for the town to go through the statutory procedure to formally discontinue ("throw up") the town highway, after which the right-of-way of the former town highway would revert to the abutters.

Thank you for sharing your concerns with the Attorney General's Office.

Sincerely,

A handwritten signature in black ink, appearing to read "John K. Dunleavy".

John K. Dunleavy
Assistant Attorney General

cc: Dale L. Perron, District #7 Transportation Administrator
Johnathan F. Croft, GIS Database Administrator

Sep. 21, 2015

Transportation Unit
VT Attorney General's Office
109 State Street
Montpelier, VT 05609

My name is Andrew Grieves. I would like to bring to your attention the closing of 3 town roads, located in the Town of Sutton.

The first road is Nuygrens Road or Town Highway 7
This road is both a Class 3 and a Class 4 road. I was walking down the Town Highway 7 when a gentleman came out and told me to stop trespassing. He said he owned both sides of the road and also the road. And that I was not allowed on it. He did appear to have No trespassing signs on either side of the road but I didn't think he could own the roadway. This road allows access to the Willoughby State Forest, which I was turned back from.

The second closed road is, Rocky Road (Town Highway 13). This is a Class 3 road. All signs of this road seem to be removed. There is just a field there where the road should be, along with No Trespassing Signs.

The third closed road is the Benton Road or Town Highway 16
This is a Class 4 Highway.
This road is approximately a mile long and is blocked at both ends of it. Along with No Trespassing signs. I decided to take pictures of these No Trespassing signs that are located on the eastern end of the roadway.

Last year I brought this matter to the attention of the Town Select board, of Sutton.

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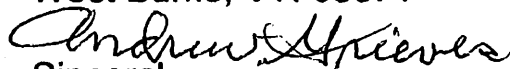
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I can best be reached by mail at the following address:

Andrew Grieves
P.O. Box 38
West Burke, VT. 05871



Sincerely,
Andrew Grieves

AGENCY OF TRANSPORTATION

APR 08 2016

ASST. AG'S OFFICE

March 24, 2016

Transportation Unit
VT Attorney General's Office
John K. Dunleavy
Assistant Attorney General
109 State Street
Montpelier, VT 05609

Re: Town of Sutton - Obstruction of Town Highways

Dear Mr. Dunleavy,

About 6 months ago I contacted you in regards to the Obstruction of 3 roads in the Town of Sutton. I'll enclose some of the previous correspondence.

Two things:

First, the roads remain "blocked" and unusable. And two, I haven't heard from anyone.

Is there any chance you could give me an update on the matter? I would like to know if there is any new information since you inquired with Mr. Perron and Mr. Croft.

As always, Thank-You for your time in this matter.

Sincerely,



Andrew Grieves
P.O. Box 38
West Burke, VT. 05871

Do you want this one?

Sutton 0314

Moulton, Sara

Sara

From: Hermanson, Tyler
Sent: Thursday, November 05, 2015 11:48 AM
To: Gail Weed
Cc: E911 - Updates; Moulton, Sara; Croft, Johnathan
Subject: RE: e911

Hi Gail,

I've add the 1900 for now, but this should have a different address. As I mentioned in the first email, it looks like the address is very close to 1665, (which is correctly addressed) and it would be confusing for responders looking for a 1900 adjacent to a 1665. The 1900 indicates 1.900 miles when really it should be measured out to be changed to something similar to **1680 Vt Route 5A** indicating 1.680 miles. That being said, if the Town HWY 16 is recognized by the town, then a town sign needs to be posted and the address of this 1900 Vt Route 5A would be something more like **449 Town HWY 16**. If this road is still established by the town and is town maintained, then this address cannot have a Vt Route 5A address.

TH-16 shown in Sutton Parcels,



Sara, John,

I CC'd you in case this Town HWY gets removed (since there is only one address on it) or a road name change occurs (if it is a Town HWY).

Tyler Hermanson GIS Specialist State of Vermont Enhanced 911 Board
E: tyler.hermanson@vermont.gov P: 802-828-4092 ; F: 802-828-4109 ; **Tue – Fri** : 7-5:30

From: Gail Weed [<mailto:suttontownclerkassist@yahoo.com>]
Sent: Thursday, November 05, 2015 9:55 AM
To: Hermanson, Tyler
Subject: Re: e911

WE HAVE HIM AS 1900 VT ROUTE 5A, BENJAMIN MCCORMACK

On Wednesday, November 4, 2015 12:57 PM, "Hermanson, Tyler" <Tyler.Hermanson@vermont.gov> wrote:

Hi Gail,

I am trying to find out what this address is and the corresponding road locations. Can you confirm this for me?

Tyler Hermanson GIS Specialist State of Vermont Enhanced 911 Board
E: tyler.hermanson@vermont.gov P: 802-828-4092 F: 802-828-4109 Tue – Fri : 7-5:30

From: Hermanson, Tyler
Sent: Wednesday, October 21, 2015 3:39 PM
To: 'GAIL WEED'
Subject: e911

Hi Gail,

Dept of Transportation noticed an address missing in our Sutton Data for the 9-1-1 system. I am wondering if you can confirm the houses address for me. It is off of TH-16 which is near 1665 Vt Route 5A. Does this TH-16 exist, and if so then this missing house should have an address off of this road. It also possible this house could have an address of something like 700 Benton Dr if Benton Dr and TH-16 are one of the same.

Here is a screenshot of the missing address in the 9-1-1 system:

Let me know,
Thanks!

Tyler Hermanson GIS Specialist State of Vermont Enhanced 911 Board
Link to E9-1-1 Viewer Map Display : <http://maps.vermont.gov/e911/Html5Viewer/?viewer=e911viewer>
E: tyler.hermanson@vermont.gov P: 802-828-4092 F: 802-828-4109 Tue – Fri : 7-5:30



TELEPHONE:
(802) 828-2831

FAX:
(802) 828-2817

STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
VERMONT AGENCY OF TRANSPORTATION
NATIONAL LIFE BUILDING
ONE NATIONAL LIFE DRIVE
MONTPELIER, VERMONT 05633-5001

October 2, 2015

Mr. Andrew Grieves
P.O. Box 38
West Burke, VT 05871

Re: Town of Sutton – Obstruction of Town Highways

Dear Mr. Grieves:

This is to acknowledge your letter of September 21, 2015 regarding alleged obstruction of Nuygrens Road (TH-7), Rocky Road (TH-13), and Benton Road (TH-16) by abutting landowners.

I am checking with VTrans' District #7 Transportation Administrator Dale Perron and VTrans GIS Database Administrator Johnathan Croft to see if they know anything about this situation.

As a general legal principle, abutting landowners cannot obstruct the public's use of highways. A selectboard can authorize installation of stiles and unlocked gates (for control of livestock) on town highways that have been designated as "pent roads" (see 19 V.S.A. § 304(a)(5)); however, such highways must remain passable by the public (subject, of course, to getting out of one's vehicle to open and close the gate). The only way that an abutter could gain authority to close a town highway is for the town to go through the statutory procedure to formally discontinue ("throw up") the town highway, after which the right-of-way of the former town highway would revert to the abutters.

Thank you for sharing your concerns with the Attorney General's Office.

Sincerely,

A handwritten signature in black ink, appearing to read "John K. Dunleavy".

John K. Dunleavy
Assistant Attorney General

cc: Dale L. Perron, District #7 Transportation Administrator
Johnathan F. Croft, GIS Database Administrator

Alley, Kerry

From: Croft, Johnathan
Sent: Thursday, October 01, 2015 2:35 PM
To: Moulton, Sara; Trunzo, Michael; Alley, Kerry; Lima, Brian
Subject: Town Highway items in Sutton

Good afternoon all,

FYI on a potential "NUTS" on TH-7 in Sutton. If anyone is in area and can take a look at these roads, to provide some insight, that would be great. Please see the details in the below letter to the Selectboard.

Z:\PPID\PPAndRBureau\Mapping\TOWNS_RPCs\Sutton\Letter_To_Sutton_Selectboard_Disc
ontinuanceQuestions.pdf

Johnathan Croft
VTrans Mapping Section
(802) 828-2600
johnathan.croft@vermont.gov – please note the updated email address



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

Agency of Transportation

Telephone: 802-828-2600
Fax: 802-828-2334
Email: johnathan.croft@vermont.gov

October 1, 2015

Mr. Scott Spencer
Town of Sutton Selectboard
167 Underpass Road
Sutton, VT 05867

Dear Mr. Spencer,

The VTrans Mapping Section has received a letter via the Vermont Attorney General's Office regarding several town highways within the Town of Sutton. Please find a copy of the letter from Andrew Grieves dated September 21, 2015 attached. I would like to seek clarification on any classification changes that may have occurred to TH-7 (Nygrens Road), TH-13 (Rocky Road), and TH-16 (Benton Drive) as the Mapping Section has these highways mapped with the following classifications:

<u>Town Highway</u>	<u>Name</u>	<u>Class 3 Mileage</u>	<u>Class 4 Mileage</u>
TH-7	Nygrens Road	1.97 miles	0.79 miles
TH-13	Rocky Road	0.60 miles	
TH-16	Benton Drive		1.15 miles

Based on review of our files in the VTrans Mapping Section, there have been no classification changes to the above highways since the establishment of the current classification system under Act 63 in 1973. The current 2015 Town Highway Map of Sutton reflects this information.

If there have been changes regarding the reclassification or discontinuance of the above highways, or any other town highways or legal trails within the Town of Sutton, please forward the documentation and we will include the mileage changes on the upcoming Mileage Certificate. Any changes would then be reflected on the next series of Town Highway Maps.

One main concern that I have is related to TH-13 (Rocky Road) and if it is posted with a "No Trespassing" sign and not open to the public, then it does not meet the class 3 town highway standards as defined in 19 V.S.A. 302 and should not be receiving state aid for maintenance. The standard is defined as follows:

19 V.S.A. § 302. Classification of town highways

(3) Class 3 town highways:

(A) Class 3 town highways are all traveled town highways other than class 1 or 2 highways. The selectmen, after conference with a representative of the Agency shall determine which highways are class 3 town highways.

(B) The minimum standards for class 3 highways are a highway negotiable under normal conditions all seasons of the year by a standard manufactured pleasure car. This would include but not be limited to sufficient surface and base, adequate drainage, and sufficient width capable to provide winter maintenance, except that based on safety considerations for the traveling public and municipal employees, the selectboard shall, by rule adopted under 24 V.S.A. chapter 59, and after following the process for providing notice and hearing in section 709 of this title, have authority to determine whether a class 3 highway, or section of highway, should be plowed and made negotiable during the winter. However, a property owner aggrieved by a decision of the selectboard may appeal to the transportation board pursuant to subdivision 5(d)(9) of this title.

(C) A highway not meeting these standards may be reclassified as a provisional class 3 highway if within five years of the determination, it will meet all class 3 highway standards.

<http://legislature.vermont.gov/statutes/section/19/003/00302>

I would like to seek clarification from the Sutton Selectboard regarding the classification of these highways and whether TH-13 remains a class 3 town highway and if it is being maintained to class 3 standards.

Thank you in advance for any information regarding the status and classification of TH-7 (Nygrens Road), TH-13 (Rocky Road), and TH-16 (Benton Drive) within the Town of Sutton. Please feel free to contact me with any questions or comments regarding this letter, or mapping in general.

Sincerely,



Johnathan Croft
AOT GIS Database Administrator
VTrans Mapping Section

JFC/jfc

Enclosures

cc: John Dunleavy - Assistant Attorney General
Dale Perron – District Transportation Administrator – District 7
Shauna Clifford – District Project Manager – District 7

County-Town Code: 0314

TOWN HWY. No.	CLASS	LENGTH IN MILES
4	3	(0.20)
6	3	(0.06)
7	3	(0.79)
8	3	(0.15)
9	3	3.42
10	3	0.60
11	3	0.60
12	3	0.15
13	3	0.60
14	3	(0.31)
15	3	1.70
16	3	(1.15)
17	3	1.50
18	3	0.45
19	3	1.37
21	3	0.75
22	3	(0.14)
23	3	3.15
24	3	1.90
25	3	0.25
26	3	0.85
28	3	0.34
30	3	0.00
32	3	0.32
33	3	0.00
35	3	(0.28)
36	3	0.10
37	3	1.09
38	3	2.38
39	3	0.40
40	3	0.10
41	3	1.80
42	3	(0.75)
43	3	(0.30)
44	3	1.85
45	3	1.98
48	3	0.35
49	3	0.10
50	3	0.10
51	3	0.38
52	3	0.19
TOTAL		34.94

MILEAGE SUMMARY

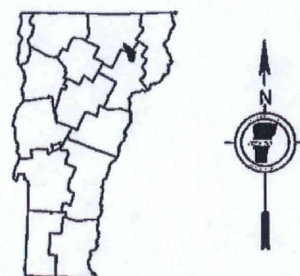
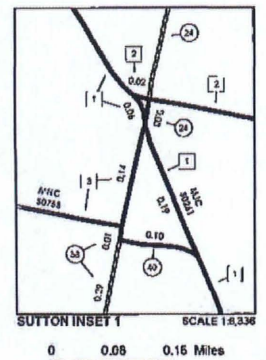
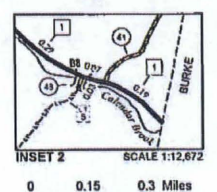
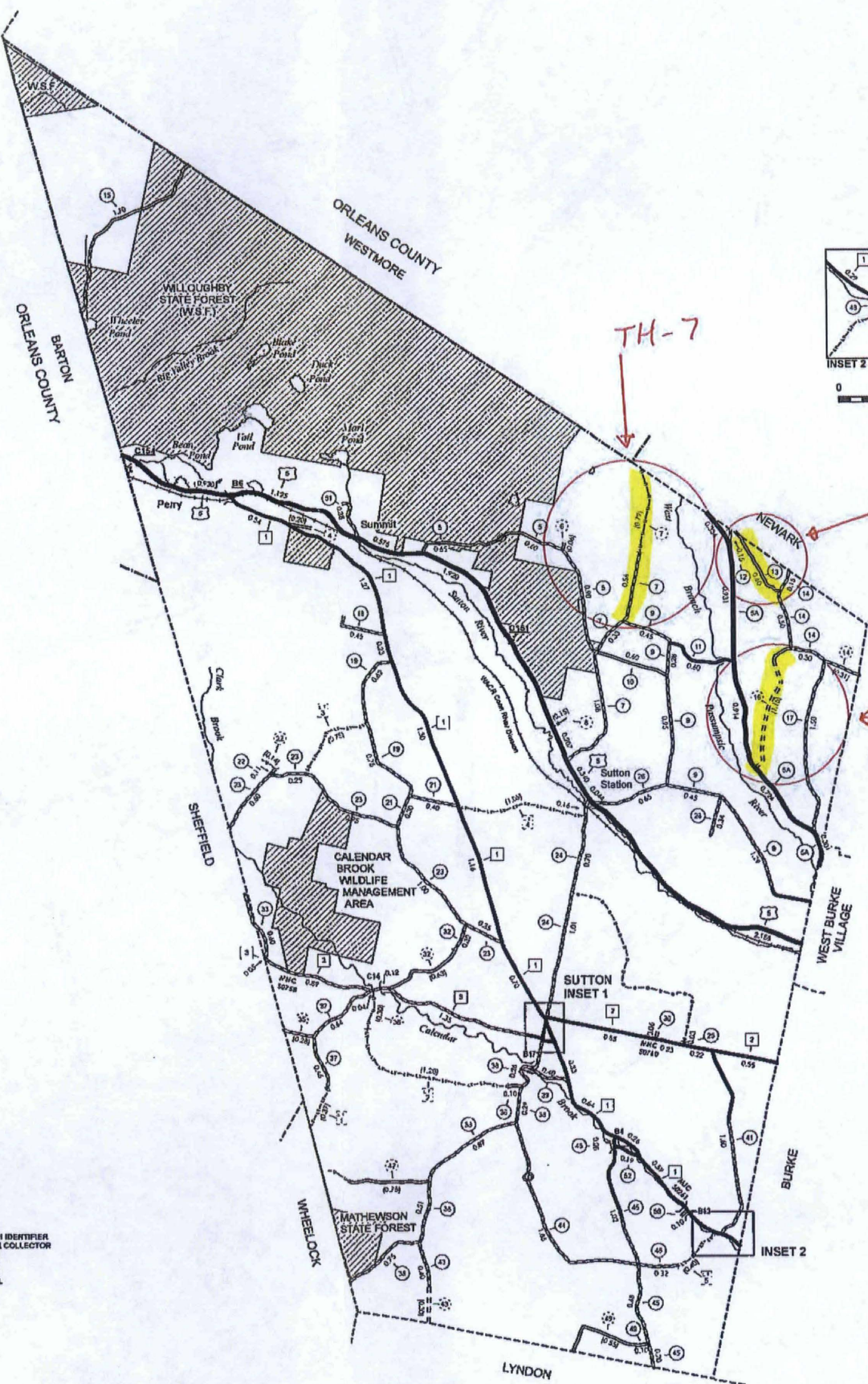
CLASS 2	7.820	
TH-1	1.900	
TH-2	2.590	
TH-3		
TOTAL CLASS 2	12.310	
CLASS 3		
TOTAL CLASS 3	34.94	
TOTAL TOWN	47.260	
STATE HIGHWAY VI-5A	3.204	
TOTAL STATE HIGHWAY	3.204	
US HIGHWAY US-5	7.329	
TOTAL US HIGHWAY	7.329	
TOTAL STATE	10.533	

TOTAL, TRAVELED HIGHWAYS, FEB. 10, 2015: 67.783
(Excludes Class 4, Legal Trail, and Untraveled Corridor Usage)

LEGAL TRAIL LENGTH IN MILES

LEGAL TRAIL No.	LEGAL TRAIL	LENGTH IN MILES
1		(0.37)
2		(1.20)
3		(0.75)
4		(1.05)
5		(0.40)
TOTAL		3.77

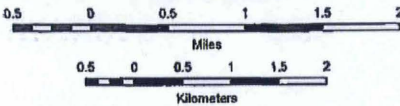
- DISCLAIMER:**
 The untraveled highways (old-out town highways), discontinued highways, and legal trails herein are those of which the Agency of Transportation has record; others may exist.
- Highway and bridge data by the Agency of Transportation. Town street structures are drawn from the Vermont Online Bridge & Culvert Inventory Tool (VOBCIT) database. All other data from the Vermont Center for Geographic Information. Only named streams are shown.
- Vermont State Plane Coordinate System
 North American Datum of 1983
 SPCS_Zone_Identifier: 4400
 Geodetic Reference System 80
 4,000-meter grid, Easting - Northing
- HIGHWAYS**
- INTERSTATE
 - U.S. ROUTE
 - STATE ROUTE
 - CLASS 1
 - CLASS 2
 - CLASS 3
 - CLASS 4
 - LEGAL TRAIL
- INTERSTATE OR DIVIDED HIGHWAY**
- STATE - HARD SURFACE OR PAVED
 - TOWN - HARD SURFACE OR PAVED
 - GRAVEL
 - SOIL OR GRADED AND DRAINED EARTH
 - UNIMPROVED OR PRIMITIVE
 - IMPASSABLE OR UNTRAVELED
 - LEGAL TRAIL
 - DISCONTINUED
 - HIGHWAY CLASS CHANGE
 - RAILROAD
 - INACTIVE RAILROAD
 - NATIONAL FOREST ROAD
 - STATE FOREST HIGHWAY
 - PARK AND RIDE
- PUBLIC LAND - GREEN MOUNTAIN NATIONAL FOREST**
- PUBLIC LAND - STATE/MUNICIPAL**
- POLITICAL SUBDIVISIONS**
- STATE BOUNDARY
 - COUNTY BOUNDARY
 - TOWN BOUNDARY
 - VILLAGE BOUNDARY
 - URBAN COMPACT BOUNDARY
- WATER BODY**
- STREAM OR BROOK
 - BRIDGE OR CULVERT
 - BRIDGE OR CULVERT > 20'
 - BRIDGE OR CULVERT 6' - 20'
 - VOBCIT BRIDGE
 - VOBCIT CULVERT > 6'
 - STATE BRIDGE OR CULVERT IDENTIFIER
 - TOWN BRIDGE OR CULVERT IDENTIFIER
- FEDERAL CLASSIFICATION IDENTIFIER**
- FAU URBAN ARTERIAL OR COLLECTOR
 - MA MAJOR ARTERIAL
 - MAJ MAJOR COLLECTOR
 - MAJ MAJOR COLLECTOR
 - PA PRINCIPAL ARTERIAL

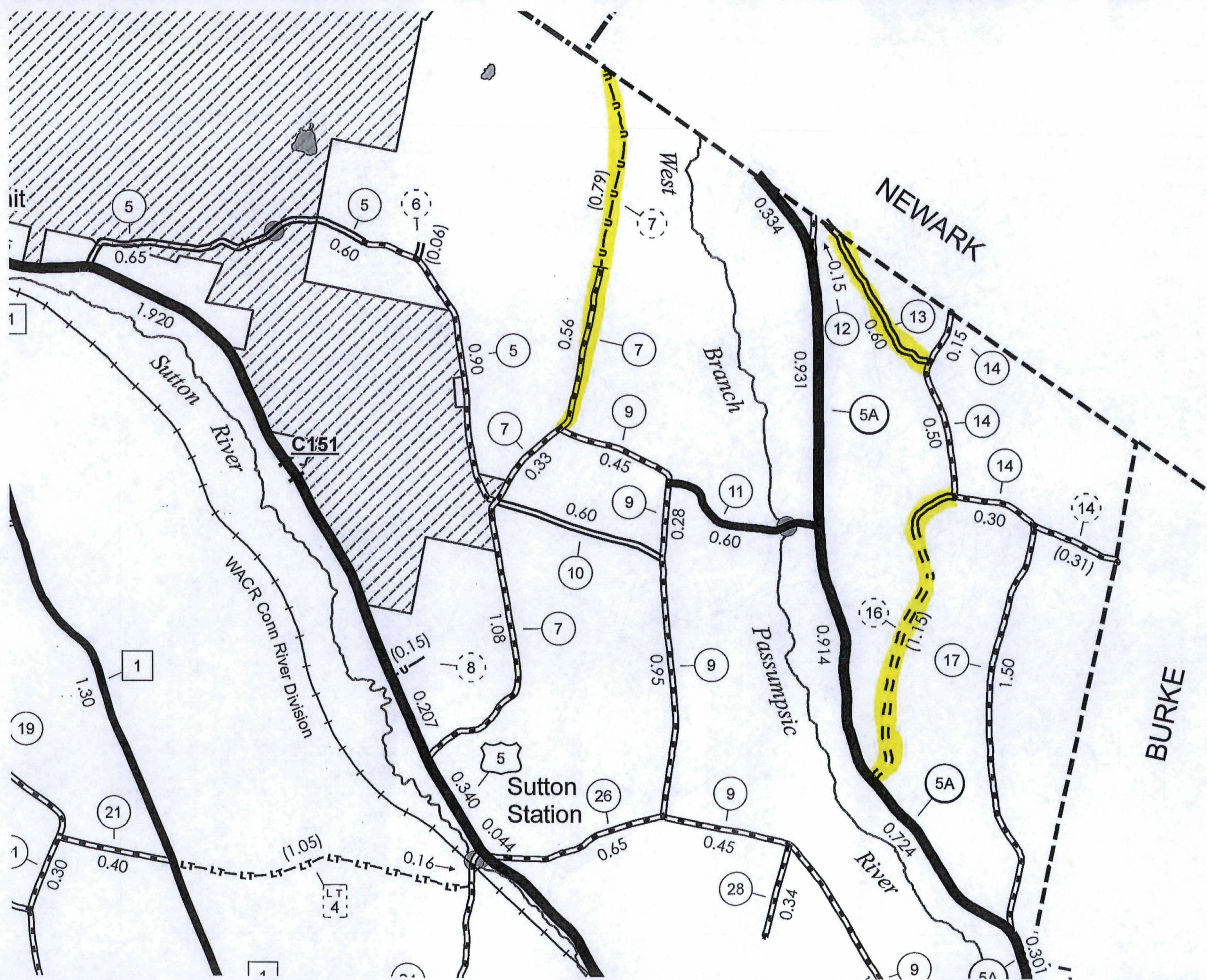


VERMONT GENERAL HIGHWAY MAP
Town of Sutton
 CALEDONIA COUNTY
 Transportation District #7

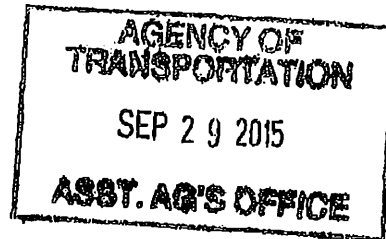
Prepared by the
 Vermont Agency of Transportation
 Division of Policy, Planning and Intermodal Development
 in cooperation with
 U.S. Department of Transportation
 Federal Highway Administration

Mileage as of February 10, 2015
 Map prepared June 18, 2015
 SCALE 1:31,680





Sep. 21, 2015



Transportation Unit
VT Attorney General's Office
109 State Street
Montpelier, VT 05609

My name is Andrew Grieves. I would like to bring to your attention the closing of 3 town roads, located in the Town of Sutton.

The first road is Nuygrens Road or Town Highway 7
This road is both a Class 3 and a Class 4 road. I was walking down the Town Highway 7 when a gentleman came out and told me to stop trespassing. He said he owned both sides of the road and also the road. And that I was not allowed on it. He did appear to have No trespassing signs on either side of the road but I didn't think he could own the roadway. This road allows access to the Willoughby State Forest, which I was turned back from.

The second closed road is, Rocky Road (Town Highway 13). This is a Class 3 road. All signs of this road seem to be removed. There is just a field there where the road should be, along with No Trespassing Signs.

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This is a Class 4 Highway.
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After some period of time I was given the answer that all three roads have been legally turned over to private parties.

I then asked when this happened and if I could see the documentation of these transactions.

The answer was no. They couldn't find the documents.

I find this unbelievable. State maps as recent as 2014 (newest maps) continue to show these Town Highways on the maps.

Can we be prohibited access to the Right of Way on these roads?

I am asking if this matter could be looked into. I've enclosed some maps and photos.

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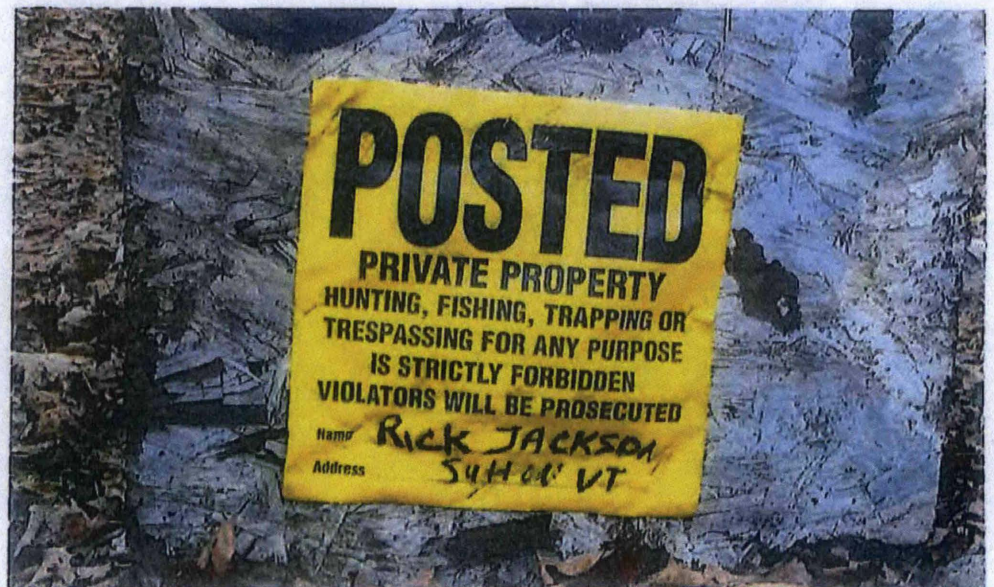


Town Highway 16 - Blocked



There is a fence restricting right of way on Sutton Town Highway 16, also known as the Benton Road. This sign is located app. 200 yards from the North end of Town Highway 16 near the Cemetery on Rt. 17 (East Ridge Road)

Sutton Town 16 is used by vehicles, cars, trucks, snowmobiles, cross-country skiers, horse back riders, & hikers.



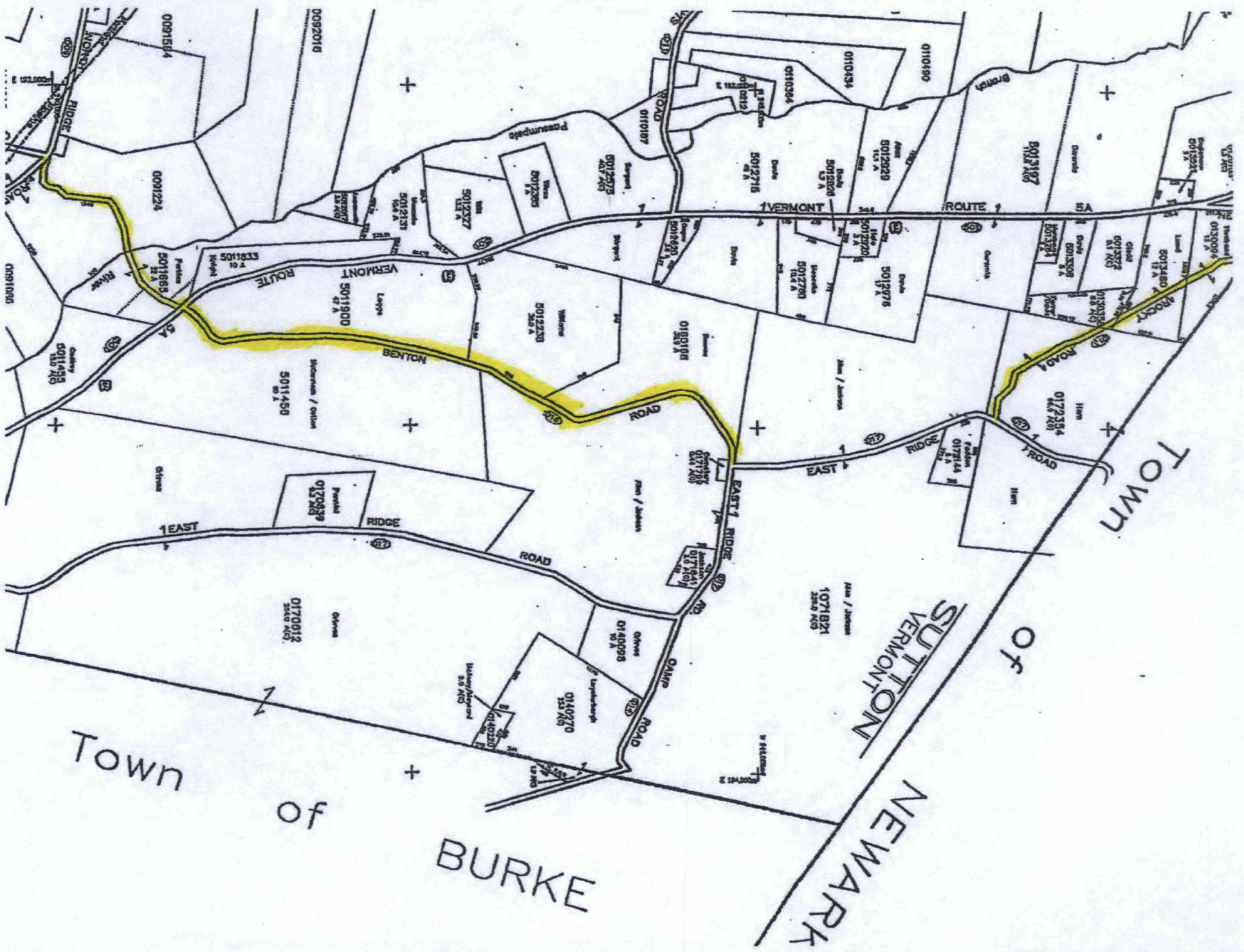
**Town Highway Blocked
Sutton town Highway 007 - Nuygtens Road**



Leads to Willoughby State Forest, Westmore, VT



**Vermont Atlas & Gazetteer, Delorme Publication page 54,
shows Town Highway 007**



Town of
SUTTON
 VERMONT

Town of
NEWARK

Town of
BURKE

VERMONT ROUTE 7

BENTON ROAD

EAST 1 RIDGE ROAD

CHAMPE ROAD

VERMONT RIVER

009164
 009124
 5011965
 5011900
 5012230
 501458
 0170039
 0170012

0110434
 0110190
 5012929
 5012716
 5012920
 5012780
 5019194
 0180194
 0170012
 0170012
 0170012
 0170012
 1071821
 0440098
 0140270
 0140270
 0140270



U005-0314 (R)
MM=2.143
FST=11316

TH-26 - MICHAUD DR

SUTTON

-- MICHAUD DR

Sutton River

US-5-US ROUTE 5

Sep. 21, 2015

Transportation Unit
VT Attorney General's Office
109 State Street
Montpelier, VT 05609

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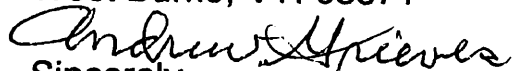
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