

District 3, 4
 Certcode 1104-0

**CERTIFICATE OF HIGHWAY MILEAGE
 YEAR ENDING FEBRUARY 10, 2020**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2020 to:
 Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section
 219 N. Main Street, Barre, VT 05641.

We, the members of the legislative body of **CHITTENDEN** in **RUTLAND** 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 KP	0.000
Class 2	10.780			10.780 KP	0.000
Class 3	18.96			18.96 KP	0.000
State Highway	0.142			0.142 KP	0.000
Total	29.882				0.000
* Class 1 Lane	0.000		4.09	0.000 KP	
* Class 4	10.78	4.09	3.89	6.896 KP	0.000
* Legal Trail	37.73	3.89		41.62 KP	

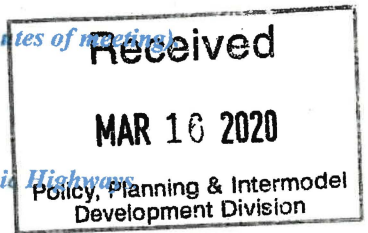
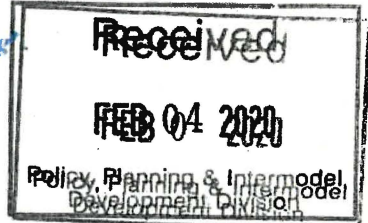
S.M.

Legal Trail Total = 41.82
 S.Moulton 2020-03-20

* 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).
 Reclassifying of Class 4 roads to Legal Trails
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:

Anna Wilton
John Bongel
Andrew R. Cl
Preston Paul
Kathleen Pratt

T/C/V Clerk Signature: *Rebecca Janoski* 3/5/20 Date Filed: 1/27/20

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

E-SIGNED by Johnathan Croft on 2020-08-10 08:35:09 EDT
 Representative, Agency of Transportation

DATE: August 10, 2020

Vermont Statutes Annotated

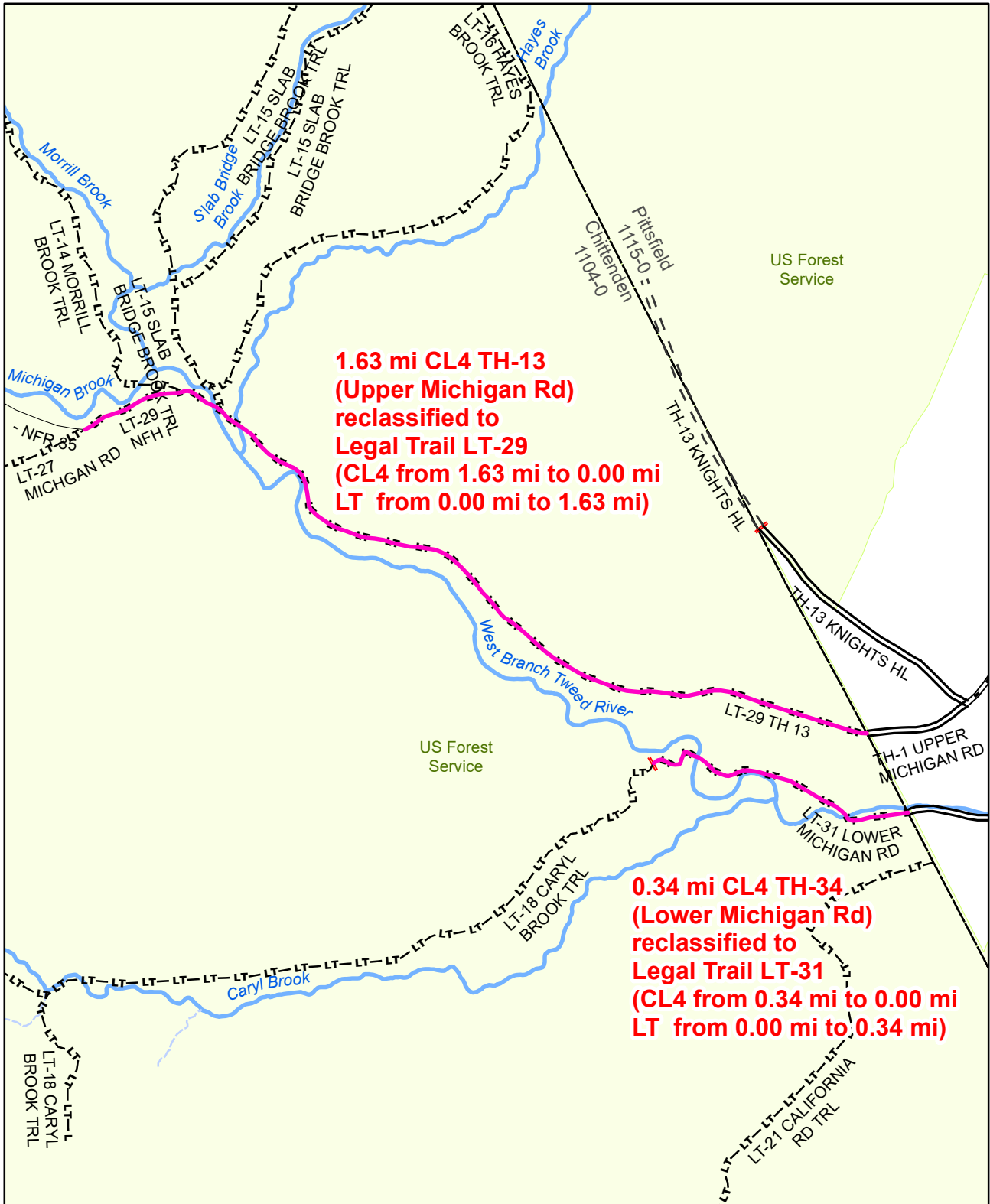
19 V.S.A. § 305. Measurement and inspection

§ 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 – <https://legislature.vermont.gov/statutes/section/19/003/00305>

December 2019

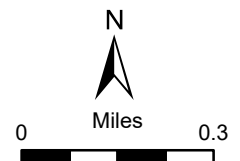


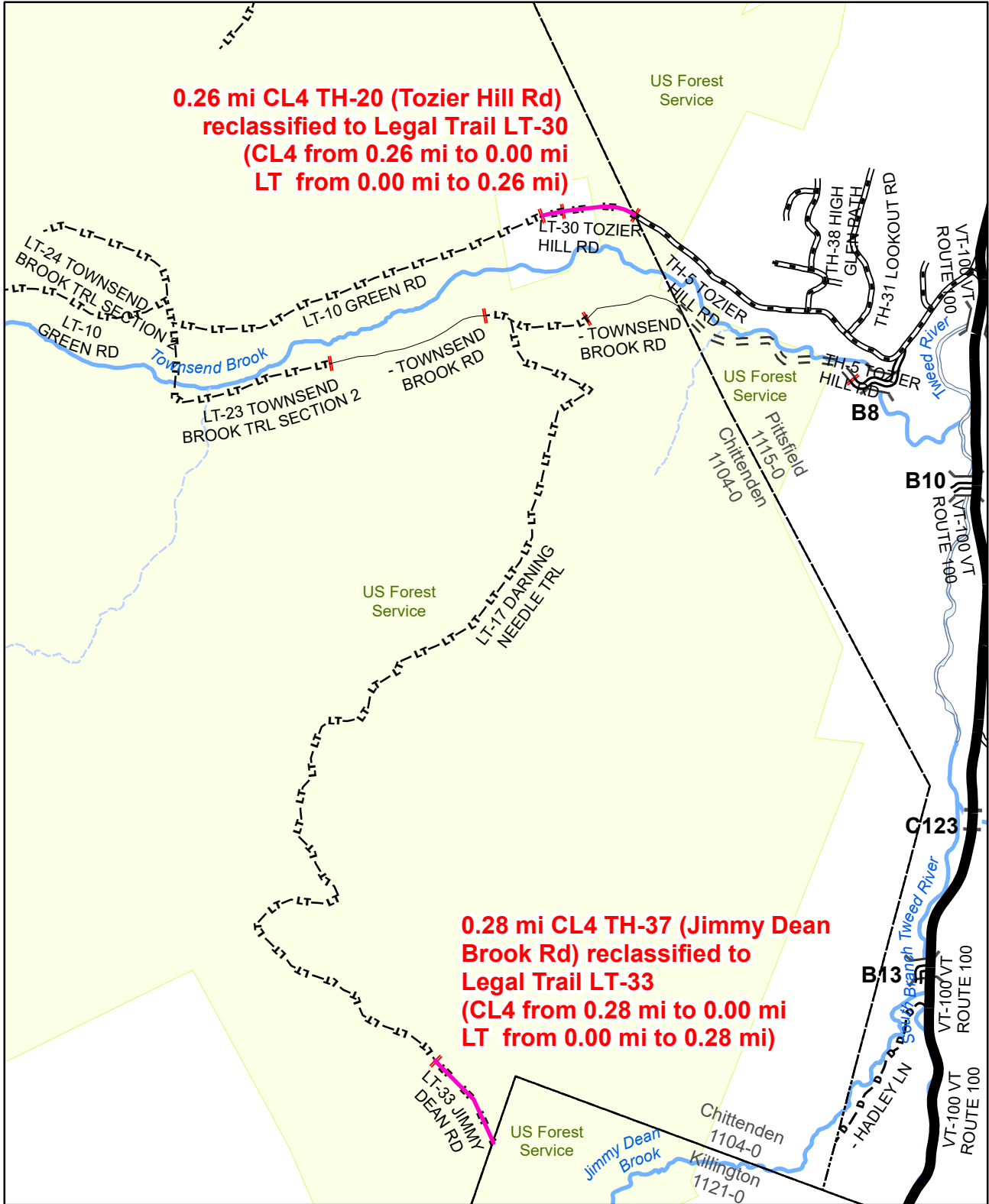
Mileage Certificate Change 2020

CHITTENDEN

(CERTCODE: 1104-0)

Mapping Section
 Division of Policy, Planning and Intermodal Development
 Vermont Agency of Transportation -- March 19, 2020

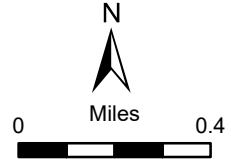


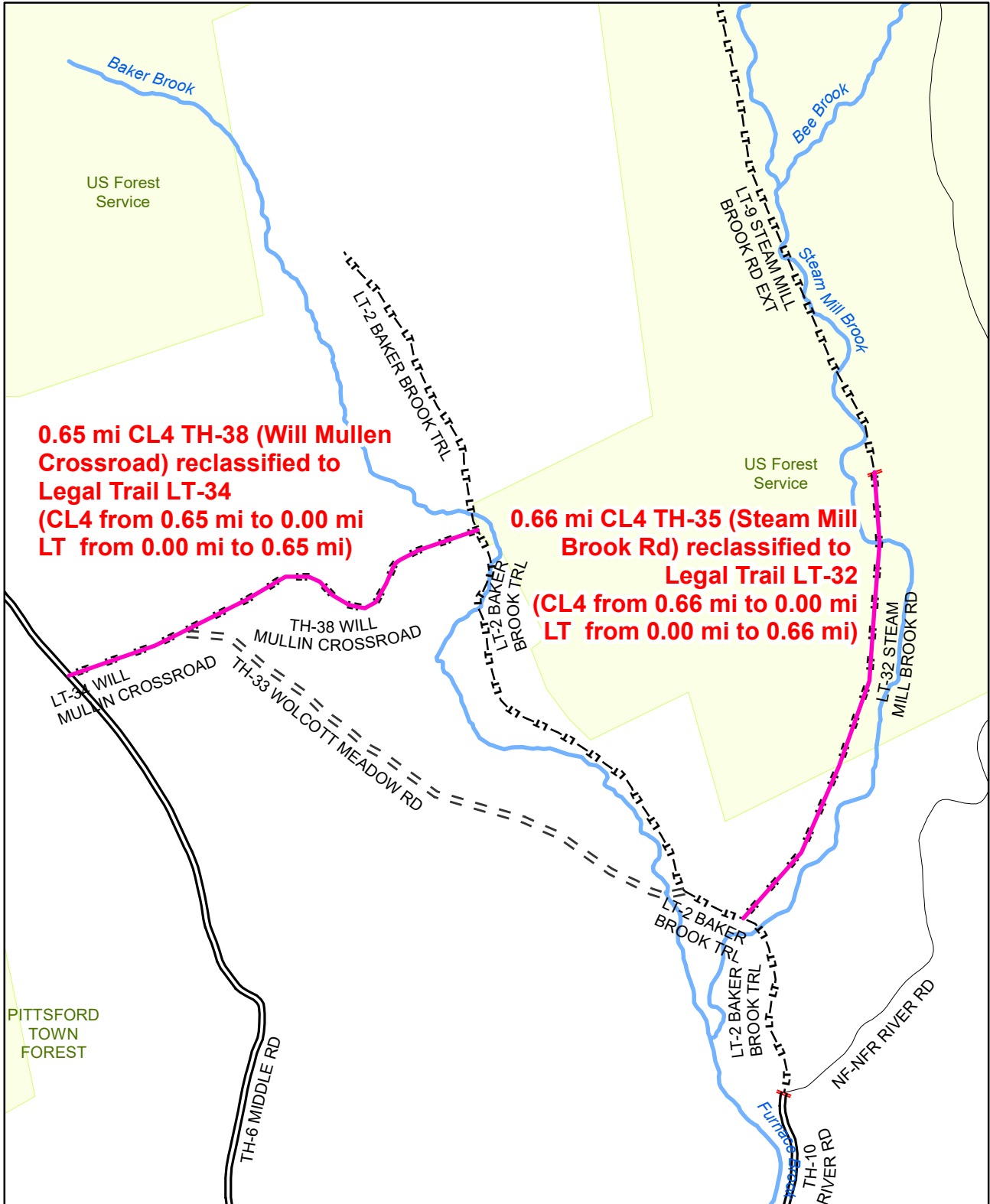


Mileage Certificate Change 2020

CHITTENDEN
(CERTCODE: 1104-0)

Mapping Section
Division of Policy, Planning and Intermodal Development
Vermont Agency of Transportation -- March 19, 2020



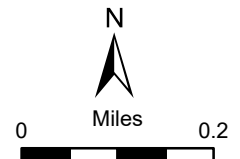


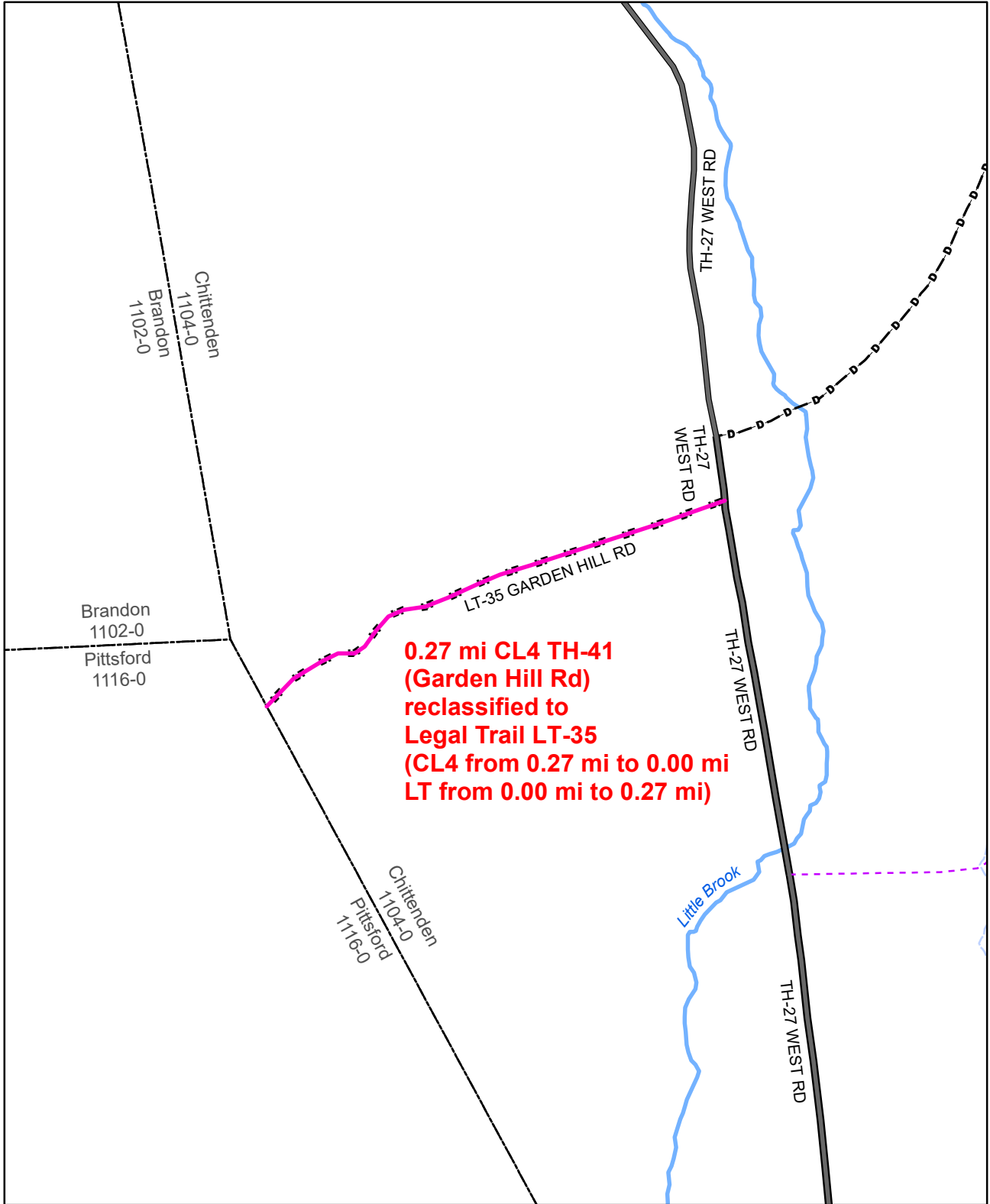
Mileage Certificate Change 2020

CHITTENDEN

(CERTCODE: 1104-0)

Mapping Section
 Division of Policy, Planning and Intermodal Development
 Vermont Agency of Transportation -- March 19, 2020



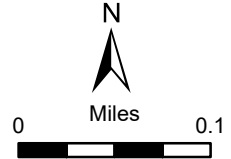


**0.27 mi CL4 TH-41
(Garden Hill Rd)
reclassified to
Legal Trail LT-35
(CL4 from 0.27 mi to 0.00 mi
LT from 0.00 mi to 0.27 mi)**

Mileage Certificate Change 2020

CHITTENDEN
(CERTCODE: 1104-0)

Mapping Section
Division of Policy, Planning and Intermodal Development
Vermont Agency of Transportation -- March 19, 2020



Moulton, Sara

From: Moulton, Sara
Sent: Monday, March 2, 2020 9:46 AM
To: chittendenvt@comcast.net
Cc: Alley, Kerry
Subject: Chittenden Mileage Certificate
Attachments: Chittenden_2020_changeList.pdf; Chittenden_2020_exhibitE.JPG; Chittenden_TH20_NUTS.JPG

Attn: Town Clerk and Selectboard Chair,

I am processing Chittenden's 2020 Mileage Certificate and am coming up with a different total mileage for the Class 4 to Legal Trail changes (see attached Chittenden_2020_changeList.pdf).

The total I have is 4.09 miles, but the Certificate notes 3.89 miles (a difference of 0.20 miles). I suspect the "NUTS" mileage of former TH-20 was accidentally not included in the Certificate change.

Because the "Decision and Order of the Select Board" states that TH-20 in its entirety is included, I am assuming that the intent was to include the NUTS section (see attached files Chittenden_2020_exhibitE.JPG and Chittenden_TH20_NUTS.JPG).

On February 27, the Certificate was sent back to have the Town Clerk sign and date it. If it hasn't been sent back yet, you could update the mileage to 4.09 if you agree with my interpretation of the documents submitted with the Certificate.

Please let me know if you have any questions.

Sara Moulton, GISP | AOT GIS Professional III
Vermont Agency of Transportation
219 N. Main St | Barre, VT 05641
sara.moulton@vermont.gov
<http://vtrans.vermont.gov/planning/maps>

CHITTENDEN

2020 Mileage Certificate Changes

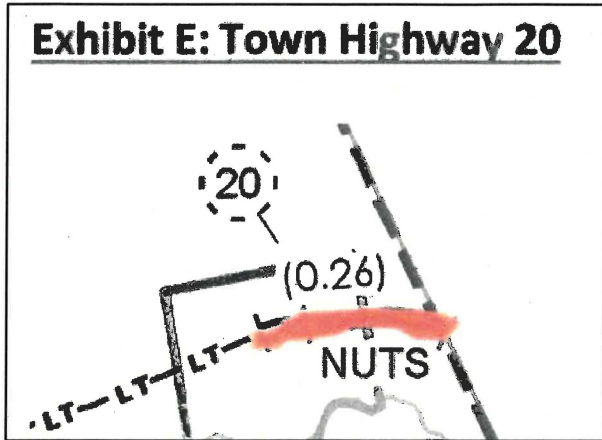
VTrans Mapping Section Summary Worksheet

3/2/2020

Town Highway Number	Legal Trail Number	Name	CL4 to LT Mileage
TH-13	LT-29	Upper Michigan Rd	1.63
TH-20	LT-30	Tozier Hill Rd	0.26
TH-34	LT-31	Lower Michigan Rd	0.34
TH-35	LT-32	Steam Mill Brook Rd	0.66
TH-37	LT-33	Jimmy Dean Brook Rd	0.28
TH-38	LT-34	Will Mullen Crossroad	0.65
TH-41	LT-35	Garden Hill Rd	0.27
		Total	4.09

Chittenden Mileage Certificate Change 2020
Question about TH-20 mileage

(attachments to email)



Chittenden_2020_exhibitE.jpg

TOWN HWY. No.	LENGTH IN MILES "NOT UP TO STANDARD"
20	(0.20)
TOTAL	0.20

* The sections of the town highways listed above are legally Class 3, but have been deemed "Not Up To Standard" and are functionally Class 4 Town Highways

Chittenden_TH20_NUTS.jpg

Town Highway/Legal Trails Addition/Reclassification/Discontinuance Checklist

The following includes a checklist of the documentation to be supplied to the Vermont Agency of Transportation (VTrans) when adding / reclassifying / discontinuing highways and trails. The documentation is subject to verification by VTrans.

Check the box if the information is included as part of the documentation submitted.

- A description of the affected highway or trail
Vt. Stat. Ann. tit. 19, § 305(e)
 - A current town highway map with the requested deletions and additions sketched on it
Vt. Stat. Ann. tit. 19, § 305(e)
 - Minutes of meetings at which the legislative body took action with respect to the changes
(include copies of the meeting minutes) Vt. Stat. Ann. tit. 19, § 305(e)
 - Evidence of written notice to adjoining landowners
(include a copy of the newspaper notice and a copy of the letter sent to adjoining landowners)
Vt. Stat. Ann. tit. 19, § 709
 - A copy of any surveys of the affected highway or trail
Vt. Stat. Ann. tit. 19, § 305(e) Vt. Stat. Ann. tit. 19, § 704
-
- For Class 3 or Class 4 town highway additions
A Certificate of Completion and Opening
While not required by statute, a Certificate of Completion and Opening form is a helpful document for the record.

All records filed with the agency are subject to verification in accordance with 19 V.S.A. § 305 (a) and 19 V.S.A. § 305 (e).

Vermont Agency of Transportation
Division of Policy, Planning and Intermodal Development, Mapping Section
219 North Main Street, Barre, VT 05641

Decision and Order of the Select Board
Town of Chittenden

In regards to the reclassification of T.H. 13 (Upper Michigan Rd); T.H. 20 (Tozier Hill Road); T.H. 33 (Wolcott Meadow Road); T.H. 34 (Lower Michigan Road); T.H. 35 (Steam Mill Brook Road); T.H. 37 (Jimmy Dean Brook Road); T.H. 38 (Will Mullen Crossroad); T.H. 41 (Garden Hill Road) to Legal Trail.

FINDINGS, CONCLUSIONS, AND DECISION

The Chittenden Select Board met on Saturday July 27, 2019 at Chittenden/Pittsfield border of T.H. 13 (Upper Michigan Road) to conduct a site visit on the Board's notice to consider reclassifying T.H. 13 (Upper Michigan Road) in its entirety from the eastern end of LT-27 (Michigan Road) easterly to its terminus where it meets the Pittsfield town line; T.H. 20 (Tozier Hill Road) in its entirety from the easterly end of LT-10 (Green Road) to its terminus at the Pittsfield town line; T.H. 33 (Wolcott Meadow Road) in its entirety from the junction of T.H. 38 (Will Mullen Crossroad) easterly to the junction of LT-2 (Baker Brook Trail); T.H. 34 (Lower Michigan Road) in its entirety from the easterly end of LT-18 (Caryl Brook Trail) to its terminus at the Pittsfield Town Line; T.H. 35 (Steam Mill Brook Road) in its entirety from the junction of LT-2 (Baker Brook Trail) northeasterly to the beginning of LT-9 (Steam Mill Brook Road Ext.); T.H. 37 (Jimmy Dean Brook Road) in its entirety from the southeasterly end of LT-17 (Darning Needle Trail) to its terminus at the Killington Town line; T.H. 38 (Will Mullen Crossroad) in its entirety from the junction of T.H. 6 (Middle Road) easterly to the junction of LT-2 (Baker Brook Trail); T.H. 41 (Garden Hill Road) in its entirety from the junction of T.H. 27 (West Road) westerly to its terminus to Legal Trail(s).

In September of 2017 the board considered the reclassification of several Class 8 town highways after consultation with the contractor who performed the hydrologically connected segments of all Town highways as a result of Act 64 (Clean Water Act). Through these surveys it became apparent that many Class 4 roads would need excessive amounts of repair/upgrade work in order to meet the standards set forth in Act 64; which requires all gully erosion on Class 1 – 4 Roads be mitigated in order to minimize storm water runoff impacts. Additionally, the Grants in Aid program to help towns comply with these standards, could not be used on Class 4 roads in the first year of this program.

A hearing was conducted on Thursday August 1, 2019 and the minutes of the associated hearing are hereby incorporated herein and made a part hereof.

Based on the testimony, exhibits, and other evidence offered at the hearing, the Board makes the following:

Findings of Fact

1. Added to the Town Highway map in 2006, Town Highway #33, also known as Wolcott Meadow Road crosses through the property of Mr. James Langan. A Quit Claim Deed handing over the property of this road to Mr. James Langan appears to have been attempted in 1972, however it does not appear the Town went through the proper procedures to discontinue the road. The Quit Claim Deed does declare "intent" to relinquish all "rights title and interest" in the aforementioned road which might be read to include the public's rights to use the road as a public highway. The Select Board will therefore have to vacate the reclassification of this particular road and proceed with the proper methodology to discontinue the road at a later date.
2. Added to the Town Highway map in 2006, Town Highway #41, also known as Garden Hill Road appears to be incorrect on the State highway map. The current map shows the road just north of address 129 West Rd, when in actuality it begins on the southern end of this property.
3. The costs to the Town associated with mitigating the requirements of Act 64 on these eight roads and the lack of state funding, supports the reclassification of Town Highway #13, Town Highway #20, Town Highway #34, Town Highway #35, Town Highway #37, Town Highway #38, and Town Highway #41 to Legal Trails where the Town

will no longer be held responsible for any of the maintenance and the rights of the public are protected in its use into perpetuity.

4. Current use on these roads will not change as a result of the reclassification and maintaining conservation and recreational purposes associated with the reclassification to Legal Trails wherein all public have continued access to the Trails and onto National Forest lands.

Based on these findings, the Select Board makes the following:

Conclusions of Law and Decision

Based on the site visit and hearing and these findings, the Select Board makes the following conclusions of law and decision:

The public good, necessity, and convenience of the public justifies Reclassifying Town Highway #13, Town Highway #20, Town Highway #34, Town Highway #35, Town Highway # 37, Town Highway #38, and Town Highway #41 to a Legal Trail. Furthermore, the Town will vacate the reclassification of Town Highway #33 in preparation of additional hearings for discontinuance at a later date.

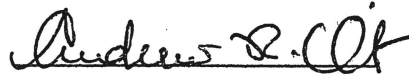
Dated this 26th day of August, 2019, at Chittenden, Vermont.


Gary Congdon, Chair


Kathleen Pratt


Preston Rich

Gina Ottoboni


Andrew Quint


Attest: A True Record


Town Clerk, Town of Chittenden


Appeal Rights

Any interested person affected by this decision may be entitled to appeal this decision in writing within 30 days of date it is signed to the Rutland Unit of the Civil Division of the Vermont Superior Court, upon payment of a fee through V.R.C.P. 75.

TOWN OF CHITTENDEN, VT

Received for record August 27 2019
at 2 o'clock P. M. and recorded in
Chittenden Land Records, Vol. 91 Page 11-12

ASST. Town Clerk

TOWN OF CHITTENDEN, VT

Re: Received for record October 9 2019
at 2 o'clock P. M. and recorded in
Chittenden Land Records, Vol. 91 Page 212-214

Town Clerk

Notice of Hearing

On Reclassifying T.H. 13 (Upper Michigan Rd); T.H. 20 (Tozier Hill Rd); T.H. 33(Wolcott Meadow Rd); T.H. 34 (Lower Michigan Rd); T.H. 35 (Steam Mill Brook Rd); T.H. 37 (Jimmy Dean Brook Rd); T.H. 38 (Will Mullen Crossroad); T.H. 41 (Garden Hill Rd) to a Legal Trail
Select Board of Chittenden, Vermont

The Select Board of Chittenden hereby gives notice to the persons named below as owners or interested persons in lands and rights that may be affected by a decision of said select board to reclassify the following town roads:

T.H. 13 – Upper Michigan Road: in its entirety from the eastern end of LT-27 (Michigan Road) easterly to its terminus where it meets the Pittsfield town line; to a Legal Town Trail.

T.H. 20 – Tozier Hill Road: in its entirety from the easterly end of LT-10 (Green Road) to its terminus at the Pittsfield town line, to a Legal Town Trail.

T.H. 33 – Wolcott Meadow Road: in its entirety from the junction of T.H. 38 (Will Mullen Crossroad) easterly to the junction of LT-2(Baker Brook Trail), to a Legal Town Trail.

T.H. 34 – Lower Michigan Road: in its entirety from the easterly end of LT-18 (Caryl Brook Trail) to its terminus at the Pittsfield Town Line, to a Legal Town Trail.

T.H. 35 – Steam Mill Brook Road: in its entirety from the junction of LT-2 (Baker Brook Trail) northeasterly to the beginning of LT-9 (Steam Mill Brook Road Ext.), to a Legal Town Trail.

T.H. 37 – Jimmy Dean Brook Road: in its entirety from the southeasterly end of LT-17 (Darning Needle Trail) to its terminus at the Killington Town line, to a Legal Town Trail.

T.H. 38 – Will Mullen Crossroad: in its entirety from the junction of T.H. 6 (Middle Road Road) easterly to the junction of LT-2 (Baker Brook Trail), to a Legal Town Trail.

T.H. 41 – Garden Hill Road: in its entirety from the junction of T.H. 27 (West Road) westerly to its terminus, to a Legal Trail.

The Select Board, affected landowners and any member of the public will meet at the intersection of T.H. 13 – Upper Michigan Road and the Pittsfield Town Line at 10:00am on Saturday, July 27, 2019 for a site inspection and will walk a portion of the above highways. The Select Board will then meet at the Town Offices at 12:00pm for anyone else interested in a site inspection.

At the conclusion of the site inspections a recess will occur, interested parties will then meet at the Town Office at 260 Chittenden Road at approximately 6:20pm on Thursday August 1, 2019 to conduct a hearing on the question of the reclassifications.

As required by law, notice of this site inspection and hearing is being provided by certified mail to each of the persons owning or interested in lands through which these highways pass, listed below, as well as the Chittenden Planning Commission. A copy is to be posted in the office of the Town Clerk, and published in the Rutland Herald, not less than 10 days before the time set for the hearing.

If the Select Board determines that for the public good, necessity, and convenience of the inhabitants of the Town require the reclassification of these highways, the Board will decide that matter in deliberative session. Damages are not available for reclassification of highways.

The following persons/governments have been notified of the public hearing:

- *Green Mountain National Forest
- *State of Vermont
- *Town of Pittsfield, VT
- *Sean A. & Jessie M. Gallagher
- *James & Clare Langan
- *Patrick R. Mahar
- *Theresa & Gary Mandirola
- *Nathaniel & Jennifer Beach
- *Town of Killington, VT
- *John & Ellen Bodin
- *Robert & Bonnie Baird
- *David & Michelle Parker
- *Town of Pittsford, VT

Chittenden Select Board:
Gary Congdon, Chair
Kathleen Pratt
Preston Rich
Gina Ottoboni
Andrew Quint

Exhibit A: Town Highways 33, 35, 38, and 41

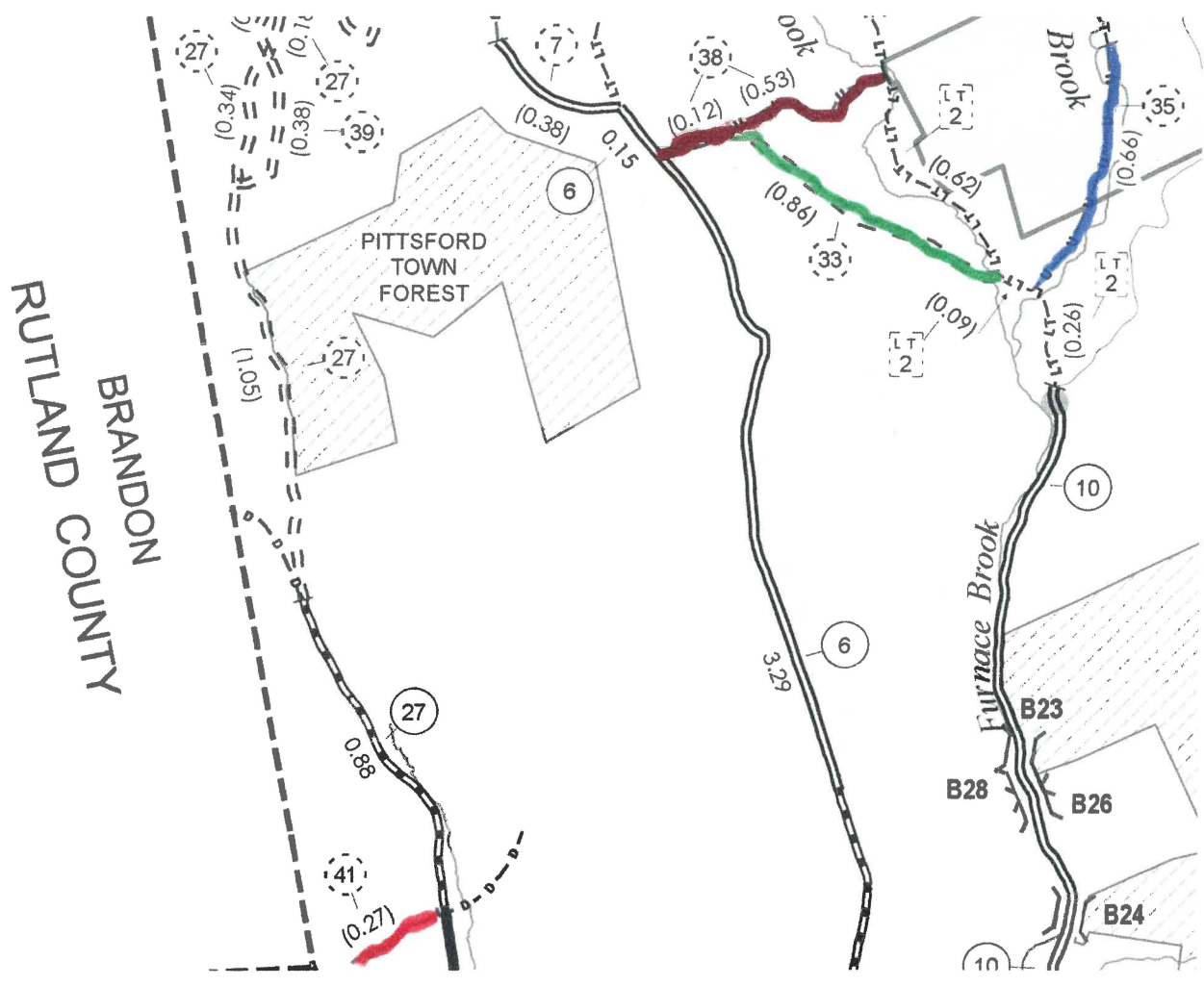


Exhibit C: Town Highway 37

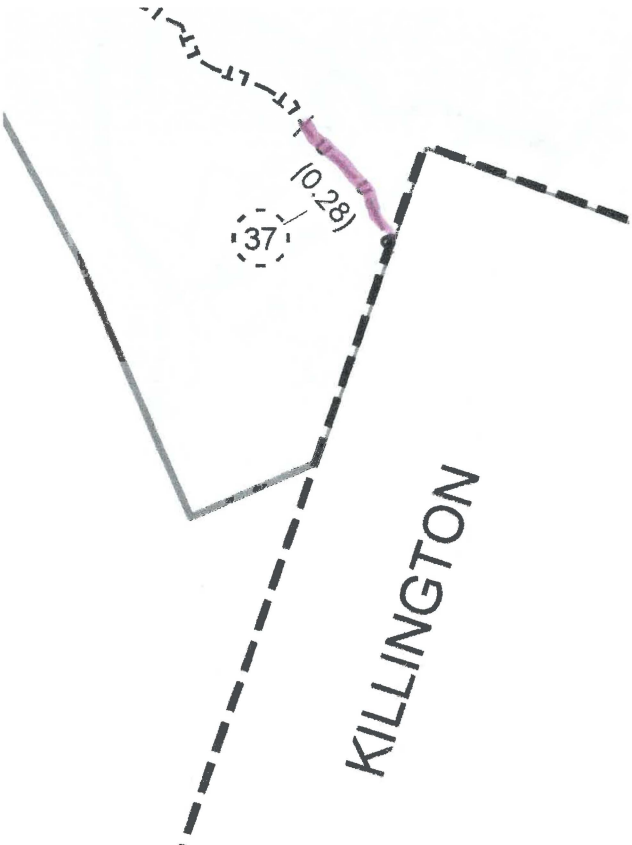


Exhibit D: Town Highways 13, and 34

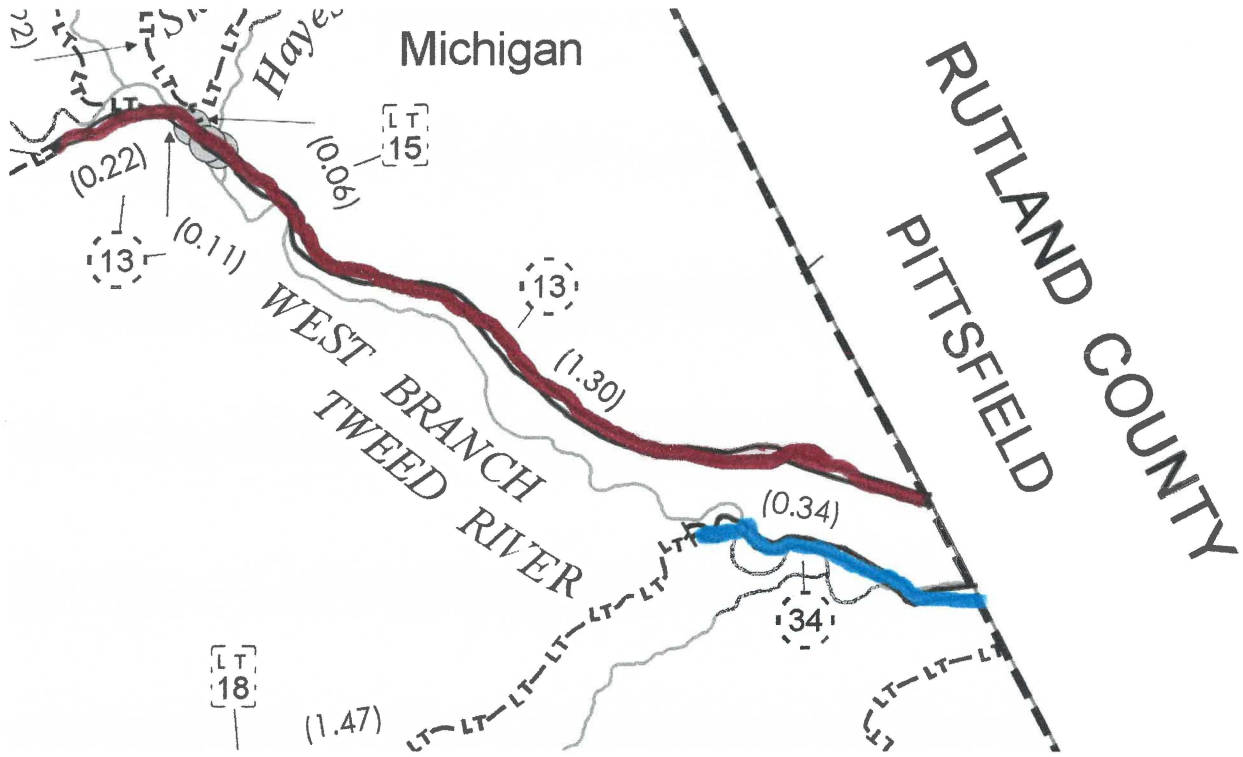
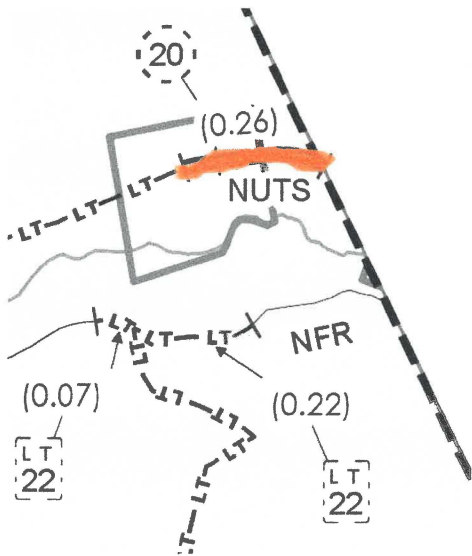


Exhibit E: Town Highway 20



Notes by S. Monahan
2020-3-2

Notice of Hearing

**On Reclassifying T.H. 13 (Upper Michigan Rd); T.H. 20 (Tozier Hill Rd); T.H. 33(Wolcott Meadow Rd); T.H. 34 (Lower Michigan Rd); T.H. 35 (Steam Mill Brook Rd); T.H. 37 (Jimmy Dean Brook Rd); T.H. 38 (Will Mullen Crossroad); T.H. 41 (Garden Hill Rd) to a Legal Trail
Select Board of Chittenden, Vermont**

The Select Board of Chittenden hereby gives notice to the persons named below as owners or interested persons in lands and rights that may be affected by a decision of said select board to reclassify the following town roads:

LT-29
1.63 T.H. 13 – Upper Michigan Road: in its entirety from the eastern end of LT-27 (Michigan Road) easterly to its terminus where it meets the Pittsfield town line; to a Legal Town Trail.

LT-30
0.26 T.H. 20 – Tozier Hill Road: in its entirety from the easterly end of LT-10 (Green Road) to its terminus at the Pittsfield town line, to a Legal Town Trail.

postponed T.H. 33 – Wolcott Meadow Road: in its entirety from the junction of T.H. 38 (Will Mullen Crossroad) easterly to the junction of LT-2(Baker Brook Trail), to a Legal Town Trail.

LT-31
0.34 T.H. 34 – Lower Michigan Road: in its entirety from the easterly end of LT-18 (Caryl Brook Trail) to its terminus at the Pittsfield Town Line, to a Legal Town Trail.

LT-32
0.66 T.H. 35 – Steam Mill Brook Road: in its entirety from the junction of LT-2 (Baker Brook Trail) northeasterly to the beginning of LT-9 (Steam Mill Brook Road Ext.), to a Legal Town Trail.

LT-33
0.28 T.H. 37 – Jimmy Dean Brook Road: in its entirety from the southeasterly end of LT-17 (Darning Needle Trail) to its terminus at the Killington Town line, to a Legal Town Trail.

LT-34
0.65 T.H. 38 – Will Mullen Crossroad: in its entirety from the junction of T.H. 6 (Middle Road Road) easterly to the junction of LT-2 (Baker Brook Trail), to a Legal Town Trail.

LT-35
0.27 T.H. 41 – Garden Hill Road: in its entirety from the junction of T.H. 27 (West Road) westerly to its terminus, to a Legal Trail.

The Select Board, affected landowners and any member of the public will meet at the intersection of T.H. 13 – Upper Michigan Road and the Pittsfield Town Line at 10:00am on Saturday, July 27, 2019 for a site inspection and will walk a portion of the above highways. The Select Board will then meet at the Town Offices at 12:00pm for anyone else interested in a site inspection.

At the conclusion of the site inspections a recess will occur, interested parties will then meet at the Town Office at 260 Chittenden Road at approximately 6:20pm on Thursday August 1, 2019 to conduct a hearing on the question of the reclassifications.

As required by law, notice of this site inspection and hearing is being provided by certified mail to each of the persons owning or interested in lands through which these highways pass, listed below, as well as the Chittenden Planning Commission. A copy is to be posted in the office of the Town Clerk, and published in the Rutland Herald, not less than 10 days before the time set for the hearing.

TOWN HWY. No.	LENGTH IN MILES CLASS 3	CLASS 4
6	3.44	(0.40)
7		(0.36)
10	2.94	(1.63)
11	0.90	
12	1.44	
13		
14	0.46	
16	0.86	
17	0.17	
18	0.50	(0.14)
19	0.51	(0.06)
21	0.08	
22	0.56	
23	3.09	
25	0.03	
26	0.15	(2.88)
27	2.81	
28	0.02	
29	0.57	
31		0.17
33		(0.80)
34		(0.34)
35		(0.69)
37		(0.28)
38		(0.65)
39		(1.26)
40		(0.65)
41		(0.27)
TOTAL	18.96	10.58

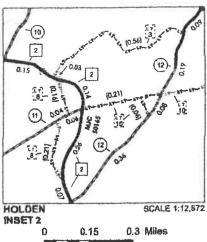
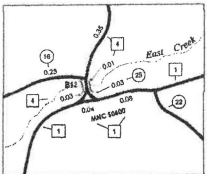
MILEAGE SUMMARY	
CLASS 2	
TH-1	4.390
TH-2	4.330
TH-3	0.040
TH-4	1.800
TOTAL CLASS 2	10.760
CLASS 3	
TOTAL CLASS 3	18.96
TOTAL TOWN	29.740
STATE HIGHWAY	
VT-73	0.142
TOTAL STATE HIGHWAY	0.142
TOTAL, TRAVELED HIGHWAYS, FEB. 10, 2019:	29.882
<small>(Exclude Class 4 and Legal Trail Mileage)</small>	

LEGAL TRAIL No.	LENGTH IN MILES LEGAL TRAIL
1	(1.76)
2	(1.40)
3	(0.56)
4	(0.80)
5	(0.06)
6	(0.24)
7	(0.61)
8	(0.37)
9	(2.90)
10	(6.34)
12	(0.84)
13	(0.60)
14	(2.69)
15	(2.19)
16	(1.51)
17	(3.04)
18	(1.81)
19	(0.48)
20	(0.58)
21	(1.12)
22	(0.28)
23	(0.66)
24	(0.44)
25	(0.20)
26	(0.90)
27	(3.80)
28	(1.44)
TOTAL	37.73

TOWN HWY. No.	LENGTH IN MILES "NOT UP TO STANDARD"
20	(0.20)
TOTAL	0.20

*The sections of the town highways listed above are legally Class 3, but have been deemed "Not Up To Standard" and are functionally Class 4 Town Highways.

Note: < 0.01 mi Legal Trail LT-11
 Last data set removed from the town highway map. Not shown or shown in orange for the road class.
 (2015)



- HIGHWAYS**
 - 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
 - PARK AND RIDE
- 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'
 - BIKE PATH STRUCTURE
 - VIADUCTS BRIDGE
 - VIADUCTS CULVERT > 6'
 - STATE BRIDGE OR CULVERT IDENTIFIER
 - TOWN BRIDGE OR CULVERT IDENTIFIER
- FEDERAL CLASSIFICATION IDENTIFIER**
 - MA MAJOR ARTERIAL
 - MC MAJOR COLLECTOR
 - MC MINOR COLLECTOR
 - PA PRINCIPAL ARTERIAL
- PUBLIC LAND - NATIONAL FOREST**
- PUBLIC LAND - STATE/MUNICIPAL**
- NFR NATIONAL FOREST ROAD**
- BFH STATE FOREST HIGHWAY**

DISCLAIMER:
 The untraveled highways (aid-out town highways), discontinued highways, and legal trails shown 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 VT CULVERTS (formerly VODCT) online database. All other data from the Vermont Open Geodata Portal. Only named streams shown.

Vermont State Plane Coordinate System
 North American Datum of 1983
 SPCS_Zone_Identifier: 4400
 Geoidic Reference System 83
 4,000-meter grid, Easting - Northing

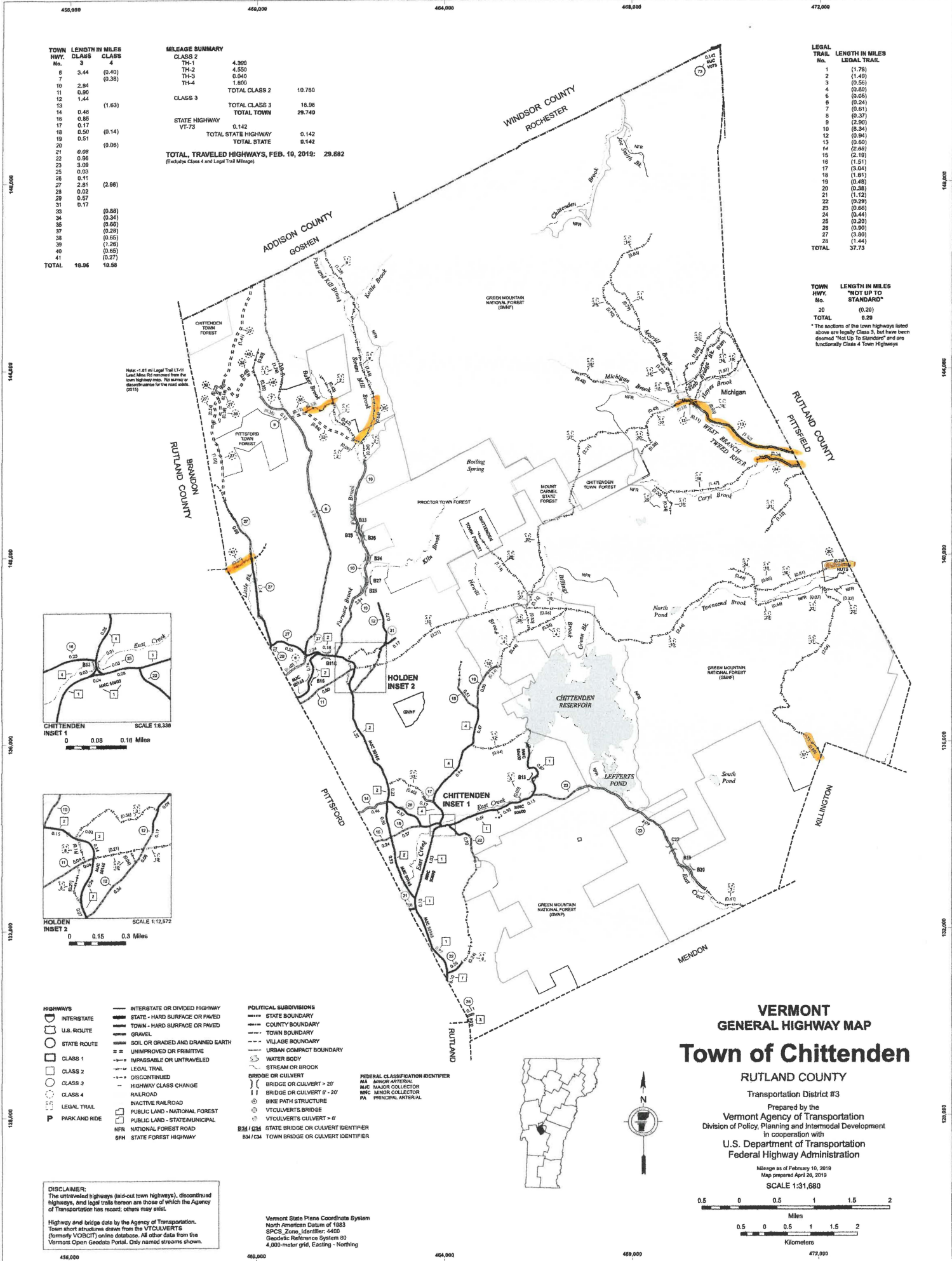
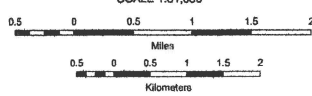
VERMONT GENERAL HIGHWAY MAP

Town of Chittenden

RUTLAND COUNTY
 Transportation District #3

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, 2019
 Map prepared April 28, 2019
 SCALE 1:31,680



Chittenden Select Board
August 12, 2019
Scheduled Meeting 6:15 PM

Members Present: Gary Congdon, Preston Rich, Kathie Pratt, and Andrew Quint.

Others Present: Jan Sotirakis, Kellie Becker, Reggi Dubin, Bernie McGee, and Jeanette McGee.

Gary Congdon, Chair opened the meeting at 6:16 PM with the Pledge of Allegiance.

I. Additions to Agenda None.

II. Approval of Minutes

Minutes of the regularly scheduled meeting of July 26th were corrected as follows:

Page 2 (Planning Commission heading): take out “about what to do with” and add “to discuss applying for”

Page 2 (Emergency Management heading): should read: “payment of half, (\$2,600) to get the project started, with Mountain Top to contribute, also.” (Comma added after “started”.)

Page 2 (New Business heading): “two winter sand bids” should be reworded to read “two bids for hauling winter sand.”

Page 2 (New Business heading): add the word “bid” immediately after the words “Richard Reed and Son”.

Page 2 (under the Old Business heading): At the end of the second paragraph a new sentence should be added, as follows: “That discontinuation was found not be have been done in accordance with proper procedure.”

Page 3 (under the Walker Property subheading): Andrew Quint said he wasn’t sure if there was a consensus (fifth line of paragraph) that the \$80,000. purchase price issue should go before the voters on the next ballot; he said he doesn’t believe there was such a consensus. Rather, Andrew said he believes that Gary Congdon was going to find out if the property were still on the market and, subject to what Gary finds out, “we were going to put it on the ballot.”

Andrew Quint moved to accept the minutes of the August 12 meeting, and Kathie Pratt seconded Andrew’s motion. The members approved the motion unanimously.

III. Audience Comments

Kellie Becker discussed the advisability of more communication among various town boards and members of the public to reduce or avoid the potential of divisiveness through insufficient information and information gaps.

IV. Town Officer Reports

Road Commissioner/Transfer Station -- (No report due to absence of Road Commissioner Elmer Wheeler.)

Planning Commission -- Kellie Becker said the Planning Commission will be “trying to pull together a planning grant submission” with the idea of tailoring it to the town’s long-term plans for capital improvements of town properties, and that this effort would help in determining “what is needed.”

Emergency Management -- Jan Sotirakis said that FEMA (Federal Emergency Management Agency) will be coming to Chittenden this Thursday on a site visit see what road work needs to be completed. She said she and other members will meet with FEMA when FEMA visits. She said that after FEMA’s first site visit, another site visit by FEMA engineers is anticipated. Further, Jan said on the subject of sirens that the Emergency Management Committee is thinking of changing the site of the “fourth siren” to a property owned by Pittsford selectman Joseph Gagnon. She said Pittsford town manager John Haverstock has been in conversation to obtain an easement for that purpose, and that Pittsford plans to contribute to the cost.

Health Officer Bernie McGee had no report.

V, New Business

Tax Payment Holiday Change

(Before the meeting officially started at 6:16 PM, Town Clerk Roberta Janoski informed the board members that she had talked with a staff attorney at the Vermont League of Cities and Towns (VLCT) regarding the Vermont Statute pertaining to tax collections. She said the attorney told her that the statute permits town taxpayers to be considered “on time” and not subject to (ie. are exempted from paying) a late payment interest penalty if the tax deadline date authorized by town vote falls on a Sunday. Roberta said she was told in the same conversation **that the Vermont statute is silent on the question of** whether another penalty-free exemption would be allowed if the day following a “Sunday deadline” were a legal holiday (when the Town Clerk’s Office would normally be closed.) Roberta said the VLCT lawyer said his interpretation of the statutory silence on this issue is that no further exemption is allowed in that case. Roberta said that because the taxpayers have voted that the 2019 tax payment deadline should indeed be a date that happens to be a Sunday and because the following day this year is Labor Day – a national Holiday, Roberta said she would schedule Sarah Cochrane Assistant Town Clerk, to open the Chittenden Town Clerk’s Office on the Saturday before Labor Day (when it would normally be closed) from 9:30 AM to 12:30 PM for purposes of receiving tax payments. In addition, Roberta said she would open the Town Clerk’s Office on Monday, Labor Day (when it would normally be closed) from 9:30 AM to 12:30 PM for the purpose of receiving tax payments. Roberta said any taxes coming in Tuesday, September 3 and beyond would be delinquent and subject to an interest penalty.)

Later, during the Select Board meeting, Preston Rich said that in light of Roberta’s research and her subsequent announcing of Saturday and Labor Day office hours to accommodate taxpayers,

he will post this information on internet social media as well as in Town paper-posting notice locations.

VI. Old Business

Application for Permits Ordinance Review and Discussion:

Preston Rich said that a draft of the proposed ordinance was sent to the Select Board by Town Attorney James Carroll. Preston Rich said he “just cleaned up the wording.” The procedure for enacting the ordinance requires that two public Select Board hearings must take place before the Select Board can decide on and enact the new ordinance. Both hearings requires a 15-day notice period in the paper and a 30-day notice written warning. The Select Board will target late October 14th for the first meeting. Kathie Pratt moved to go forward with this process; Andrew Quint seconded the motion. The board approved of the motion unanimously.

Highways:

Road Reclassification Findings and Review and Sign/Next Steps on Wolcott Meadow Road

Eight roads are to be considered for reclassification. After being reclassified they will remain public rights-of-way. The reclassification will not include Wolcott Meadow Road (Town highway 33), which may be involved in a road discontinuation process instead. Andrew Quint moved to go forward with the reclassification of the other seven roads. Kathie Pratt seconded the motion, and the Select Board approved the motion unanimously.

Road Grants Update

Jan Sotirakis said the town owes \$143,375. to Champlain Construction for its work, including a \$7,500. charge for “unsafe soil conditions” and a \$1,000. subtraction for Elmer Wheeler’s gravel work. Gary Congdon signed the approval of payment of the bill.

Also, Jan Sotirakis said she received the first bill for \$152,000 in regard to the Wildcat Road project (to cover the cost of the culvert). Gary Congdon said the town will hold back 10% of the bill payment pending successful completion of the project. He signed an authorization to pay \$137,250 representing 90% of the billing. Preston Rich inquired as to what type of gate Mr. Stevens wants; he was told he would be happy with the type found acceptable to the U. S. Forest Service. Preston said he will get a price for the gate.

Iso, Jan Sotirakis gave an update on the storm mitigation grant. She said FEMA’s upcoming visits to Chittenden will result in a determination of the cost of the improvements. She said the cost would be covered by a Federal grant involving a 10% match by the town. Gary Congdon moved approval of these reports and actions; Andrew Quint seconded the motion. The Select Board voted unanimously in favor.

Property Maintenance

Discussion was had regarding compactor maintenance at the transfer station. Project will begin the last week of September.

Building Permit – Bob Walker

Health Officer Bernie McGee said that in 2005 he signed a septic permit for Bob Walker's Lot #8 for which he is currently applying to the Select Board for a building permit. Gary Congdon signed the building permit. Also, Gary Congdon said on a related subject that he had had two phone conversations during the previous week with Bob Walker. Gary said during the first conversation Mr. Walker said he understood that the purchase price to buy Lot #8 is high enough that the proposed purchase would have to be approved by taxpayers on at Town Meeting in March 2020. Gary said Mr. Walker said he thought the town should have the lot and that he would "sit on it" and wait for the town vote. Gary said that nine hours later Mr. Walker called back to say he was withdrawing his offer to sit on the property pending a town vote because (six months) "is too long a time to hold the lot off the market. "

Generators -- Bernie McGee reported briefly on the testing of the town emergency management and back-up power generators.

VII. Correspondence

Worksafe Traffic Control Industries -- sent product brochures to the town.

VLCT Town Fair, Oct. 2,3 at Killington Grand – Gary Congdon handed to the other board members booklets regarding the VLCT Town Fair.

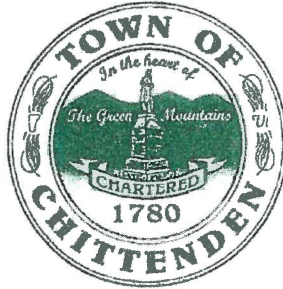
VIII. Work orders

Work orders were approved and signed.

IX. Adjourn

Andrew Quint moved to adjourn the meeting shortly after 7 PM; Kathy Pratt seconded the motion. The Select Board voted unanimously in favor of the motion.

Respectfully submitted,
Robert Webster (for Karen Webster)



Example of
letter sent to
landowners

June 12, 2019

Sean & Jesse Gallagher
Box 611
Pittsfield, VT 05762

Dear Sean & Jesse,

This letter is to inform you that the Town of Chittenden is looking to reclassify eight current Class IV roads to legal trails. You are being contacted since one or more of these roads passes through or near your property. I have attached the legal warning for this process in addition to a map highlighting the specific roads we are reclassifying.

With the passage of Vermont's Clean Water Act (Act 64), and a subsequent inventory/assessment of our roads, it was determined that certain class IV roads would be too costly to the taxpayer to meet the standards as outlined in Act 64. Act 64 is intended to achieve significant reductions in storm water-related erosion from municipal roads, both paved and unpaved.

You are invited to attend the site inspection on Saturday July 27, 2019 at 10:00am near the intersection of Town Highway 13 (Upper Michigan Road) and the Pittsfield town line. The intent is to walk a portion of each road. At the conclusion of the site visit, the meeting will be recessed till Thursday August 1st, 2019 at 6:20pm where a hearing on the reclassification will be conducted.

If you have any questions please feel free to contact me at the town office number listed below.

Sincerely,

GARY CONGDON
Select Board Chair