

# CERTIFICATE OF HIGHWAY MILEAGE FOR YEAR ENDING FEB. 10, 1984

Fill out 4 copies, file one with Town Clerk, and mail 3 to Agency of Trans. before February 10, 1984

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

## PART I

We, the Selectmen, Trustees or Aldermen of Middlesex on oath state that we have carefully measured all the highways in this town and find that the mileage of highways, according to Title 19, V.S.A., Sec. 15, amended 1973, Act No. 63, in this town for the year ending Feb. 10, 1984 is as follows:

	TOWN HIGHWAYS				STATE HIGHWAYS	TOTAL EXCLUDING CLASS 4
	CLASS 1	CLASS 2	CLASS 3	CLASS 4		
PREVIOUS MILEAGE AS SHOWN FEBRUARY 10, 19 <u>83</u>	---	14.220	33.680	14.780	16.938	64.838
MILEAGE ADDED SINCE FEBRUARY 10, 19 <u>83</u> ACCORDING TO STATUTE. EXPLAIN UNDER (1) BELOW.			0.32			0.320
SUB TOTAL	---	14.220	34.000	14.780	16.938	65.158
MILEAGE SUBTRACTED SINCE FEBRUARY 10, 19 <u>83</u> ACCORDING TO STATUTE. EXPLAIN UNDER (2) AND (3).			0.17	0.32		0.170
TOTAL HIGHWAY MILEAGE FEB. 10, 19 <u>84</u>	---	14.220	33.830	14.460	16.938	64.988
SCENIC HIGHWAY MILEAGE (19 VSA 1019)						

DURING THE PAST YEAR THE FOLLOWING CHANGES HAVE OCCURED:

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

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

All of Town highway #30 (0.17 mile)

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

0.05 mile of the northerly class 4 section of Town highway #37 to class 3  
0.27 mile of the southerly class 4 section of Town highway #37 to class 3

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

## PART II CHECK BOX IF NO CHANGES IN MILEAGE.

WE HEREBY CERTIFY THAT THE TOWN/VILLAGE/CITY OF Washington HAD NO CHANGES IN HIGHWAY MILEAGE FOR THE YEAR ENDING FEBRUARY 10, 1984.

## PART III

SELECTMEN  
Signatures

Thomas O'Neill  
Donald Terpin  
Walter H. Kelley  
Mary Burchick Smith

I, Eugene Joslin Clerk of Town of Middlesex hereby certify this record of highway mileage is filed and recorded at this office on Jan. 9, 1984 at 9:20 p.m. in the Book of Town Records, Volume 6 at Page 172.

T.A. 301-IM 7-82 Attest: Eugene Joslin  
Town Clerk

Rev. 7-82 Approved: J. El. Lander Date 1-11-84  
Representative, Agency of Transportation

Note: Applicable section of Vermont Statutes is printed on reverse side.

1/11/84  
CW

CERTIFICATE

MIDDLESEX, VERMONT TOWN CLERK'S OFFICE: Received and Recorded this 15th day of November A.D., 1983 at 4:50 p.m. in the Book of Town Records, Vol. 6 at Pages 162-164.

ATTEST: [Signature]  
Assistant Town Clerk

I, Telma D. Patterson, Assistant Town Clerk of the Town of Middlesex, Vermont, do certify that:

(1) The attached Notice of Hearing relative to the discontinuance of Middlesex Town highway #30 was duly adopted at a regular meeting of the Board of Selectmen of the Town of Middlesex, duly warned, called and held on November 14, 1983.

(2) Said Notice of Hearing was posted in the following public places in the Town of Middlesex from November 15, 1983 through November 28, 1983, being the date of the hearing stated therein:

- (a) Middlesex Country Store
- (b) Middlesex Town Clerk's Office
- (c) Rumney Memorial School

(3) Said Notice of Hearing was mailed on November 15, 1983 to the following by first class registered mail, postage prepaid, addressed to the following at the addresses indicated:

Palm Investment Corporation  
c/o Albert Raphael, Jr.  
RR 1 Box 342  
Waitsfield, VT 05673

Middlesex Planning Commission  
c/o Peter Bluhm, Chairman  
Box 3245 RR 3  
Montpelier, VT 05602

Vermont Board of Recreation  
c/o Department of Forests, Parks & Recreation  
75 River St.  
Montpelier, VT 05602

Done at Middlesex, Vermont on this 15th day of November, 1983.

[Signature]  
Telma D. Patterson  
Assistant Town Clerk

TOWN OF MIDDLESEX, VERMONT

NOTICE OF HEARING

The following Town highway located within the Town of Middlesex, Vermont will be reviewed at a public hearing by the Selectmen of said Town to determine whether the highway described below should be discontinued.

Said hearing will be held at the Middlesex Town Clerk's Office on November 28, 1983 commencing at 7:00 o'clock in the afternoon and to continue, if need be, from day to day thereafter until completed and all interested parties are heard.

Following the conclusion of said public hearing, the Selectmen of the Town of Middlesex, Vermont shall examine and otherwise inspect the following described Town highway to determine if the public good requires that the same be discontinued:

(1) All of Town highway #30 extending approximately 0.17 mile westerly of the intersection of Town highway #29 and Town highway #30. Said Town highway #30 proposed to be discontinued is abutted by lands owned by the following, or persons interested in land abutting such highway are as follows:

Palm Investment Corporation

Dated: November 14, 1983

\_\_\_\_\_  
Nancy Burdick-Miller

\_\_\_\_\_  
*Walter H. Kelley*  
Walter Kelley

\_\_\_\_\_  
*Walter A. Lewis*  
Walter Lewis

\_\_\_\_\_  
*Thomas O'Neill*  
Thomas O'Neill

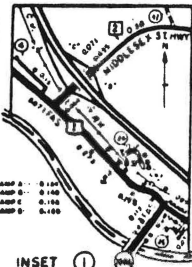
\_\_\_\_\_  
*Donald Tessier*  
Donald Tessier  
Board of Selectmen, Town of Middlesex

ATTEST: *Debra J. Patterson*

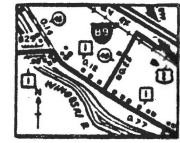
MIDDLESEX, VT TOWN CLERK'S OFFICE: Received and Recorded this 14th day of November A.D., 1983 at 8:15 p.m. in the Book of Town Records, Vol. 6 at Pages 165-166.  
ATTEST: *Debra J. Patterson*  
Assistant Town Clerk

SUMMARY OF TOWN HIGHWAYS

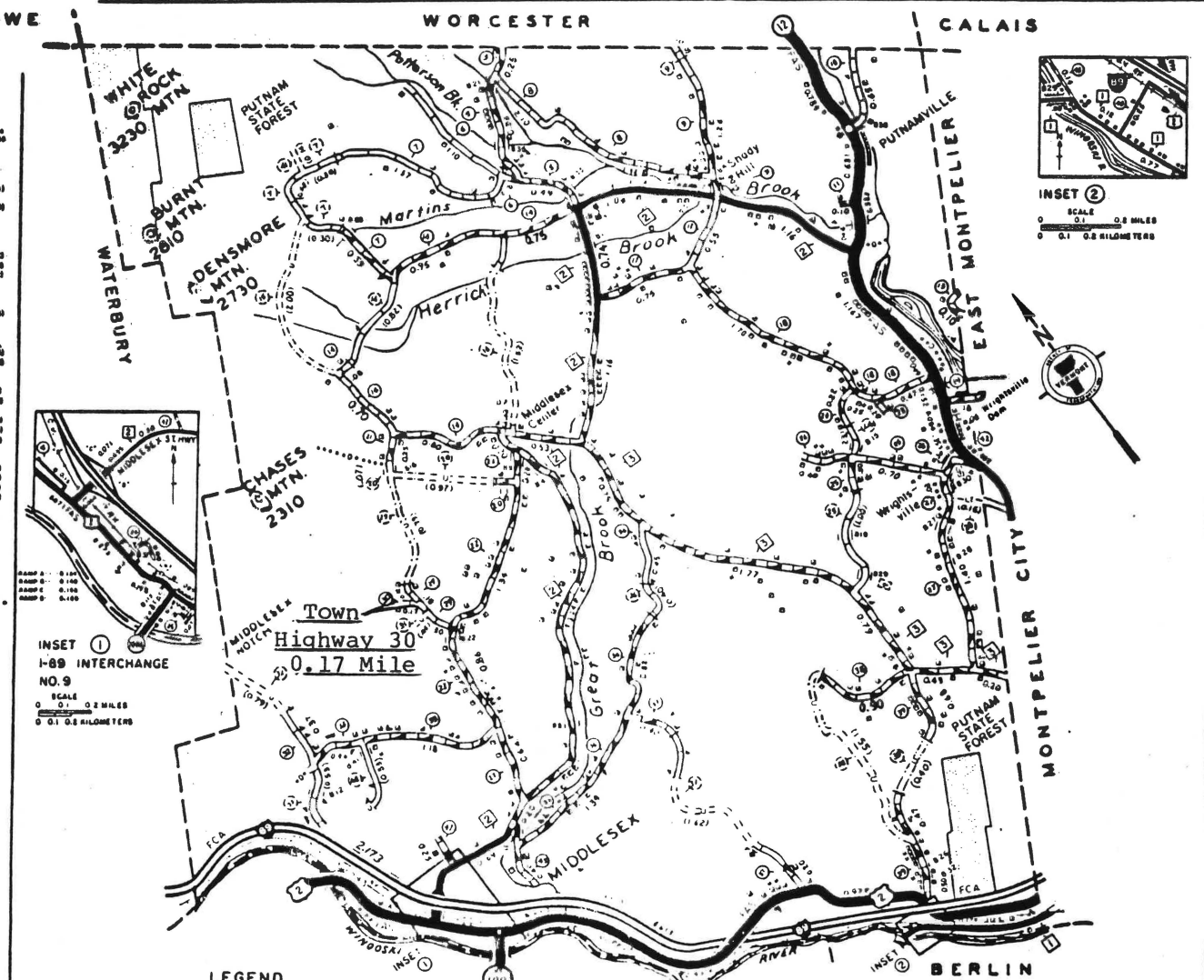
TYPE	1. CLASS	2. MILES	3. TOTAL
1	0.16		
2	1.70		
3	1.30	(11.10)	
4	2.10		
5	1.10	(5.10)	
6	1.30		
7	0.80		
8	0.10		
9	0.10		
10	0.10		
11	0.10		
12	0.10		
13	0.10		
14	3.20	(2.20)	
15	0.20	(2.00)	
16	0.20	(1.20)	
17	1.20		
18	2.00		
19	0.10		
20	0.13	(1.00)	
21	0.20		
22	1.10		
23	0.20		
24	0.20	(2.20)	
25	1.20	(11.00)	
26	0.20		
27	1.70		
28	0.10		
29	0.20	(2.70)	
30	0.17		
31	0.20	(2.20)	
32	0.20	(2.20)	
33	1.20	(2.20)	
34	0.17		
35	0.07		
36	2.10	(1.00)	
37	0.20	(1.00)	
38	0.20	(1.00)	
39	1.20	(2.20)	
40	0.20		
41	0.00	(2.10)	
42	0.00		
43	0.00		
44	0.00		
45	0.14		
46	0.14		
47	0.20		
48	0.20		
49	0.20		
50	0.20		
TOTAL	33.78	(24.22)	



INSET 1  
I-89 INTERCHANGE  
NO. 9  
SCALE  
0 0.1 0.2 MILES  
0 0.1 0.2 KILOMETERS



INSET 2  
SCALE  
0 0.1 0.2 MILES  
0 0.1 0.2 KILOMETERS



**LEGEND**

**HIGHWAYS**

- 7 DIVIDED HWY, INTERSTATE OR STATE
- INTERCHANGE NUMBER
- 2-LANE STATE HIGHWAY
- END OF STATE HIGHWAY
- TOWN HIGHWAY
- UNTRAVELED ROAD
- PRIVATE ROAD AND NUMBER
- DISCONTINUED HIGHWAY
- LEGAL TRAIL (FORMER TOWN HWY)
- FOOT TRAIL
- 89 INTERSTATE NUMBERED ROUTE
- U.S. NUMBERED ROUTE
- STATE NUMBERED ROUTE
- CLASS 1 TOWN HIGHWAY
- CLASS 2 TOWN HIGHWAY
- CLASS 3 TOWN HIGHWAY
- CLASS 4 TOWN HIGHWAY
- FULLY CONTROLLED ACCESS
- FAP FEDERAL AID PRIMARY HIGHWAY
- FAS FEDERAL AID SECONDARY HIGHWAY
- NFM NATIONAL FOREST HIGHWAY
- SFM STATE FOREST HIGHWAY

**ROAD SURFACE TYPES**

- BITUMINOUS MIX, MACADAM MIX, MACADAM PENETRATION, CONCRETE
- BITUMINOUS CONCRETE, BRICK OR BLOCK
- SURFACE TREATED GRAVEL
- GRAVEL
- SOIL SURFACE (2ND CLASS GRAVEL)
- GRADED AND DRAINED EARTH
- UNIMPROVED EARTH
- PRIMITIVE

**BRIDGES**

- BRIDGE OR CULVERT (LESS THAN 6 SPAN)
- BRIDGE OR CULVERT (6 THRU 20 SPAN)
- BRIDGE (OVER 20 SPAN)
- HIGHWAY UNDERPASS
- HIGHWAY OVERPASS
- COVERED BRIDGE
- BRIDGE NUMBER

**MISCELLANEOUS**

- RAILROAD AND GRADE CROSSING
- VILLAGE CENTER

**CULTURAL FEATURES**

- FARM UNIT
- DWELLING (OTHER THAN FARM)
- SEASONAL DWELLING
- BUSINESS
- SCHOOL
- CHURCH
- CEMETERY
- SANITARY LANDFILL
- GRAVEL PIT

**TOWN OF MIDDLESEX**  
GENERAL HIGHWAY MAP  
1980 POPULATION 1235  
PREPARED BY  
VERMONT AGENCY OF TRANSPORTATION  
PLANNING DIVISION  
SCALE  
1 MILE  
2 KILOMETERS

**MILEAGE SUMMARY**

CLASS 1 TOWN HIGHWAYS:	0.000
CLASS 2 TOWN HIGHWAYS:	
NO. 1	0.95
NO. 2	9.33
NO. 3	3.24
NO. 4	
TOTAL CLASS 2 TOWN HWYS.	14.22
CLASS 3 TOWN HIGHWAYS:	14.22
TOTAL TOWN HWYS.	33.78
48.00	
STATE HIGHWAYS:	
INTERSTATE HWY NO. 89	4.786
INTERSTATE RAMPS	0.591
TOTAL INTERSTATE HWYS.	7.377
STATE HWY U.S. 2	8.426
STATE HWY VT. 100-B	0.13
STATE HWY VT. 12	3.860
STATE HWY MIDDLESEX	0.170
STATE HWY	
TOTAL NON-INTERSTATE HWYS.	9.561
TOTAL STATE HWYS.	16.936
TOTAL TRAVELED HWYS., FEB. 10, 1981.	64.936

\* EXCLUDES CLASS 4 MILEAGE

**NOTES**  
Inventory date of cultural features is 1979.  
The untraveled highways (and out town highways),  
discarded highways, and legal rights shown hereon  
are those of which the Department of Highways  
has record; others may exist.

PUBLIC HEARING: November 28, 1983 at 7:00 p.m. at the Middlesex Town Clerk's Office.

PRESENT WERE:

Selectmen  
Nancy Burdick-Miller  
Walter Kelley  
Walter Lewis  
Thomas O'Neill

Town Clerk/Treasurer  
Eugene Joslin

Road Commissioner  
Gary Lamell

Selectman Absent:  
Donald Tessier

Hearing was called to order at 7:02 p.m. by Thomas O'Neill, Chairman Board of Selectmen.

Chariman O'Neill stated the purpose of the hearing was to determine if Town highway #30, in its entirety, extending approximately 0.17 mile westerly of the inter-section of Town highway #29 and Town highway #30 should be discontinued. Mr. O'Neill stated the hearing was called after the Board of Selectmen received a letter dated October 25, 1983 from Denis Love, President Palm Investment Corporation, requesting that the highway be discontinued (see minutes of the November 14, 1983 Slectmen's meeting). Mr. O'Neill stated as per the Notice of Hearing dated November 14, 1983, Palm Investment Corporation is the only property that is interested in and abutts Town highway #30.

Telma Patterson, Assistant Town Clerk, stated as required by Statute, the Notice of Hearing was sent by registered mail to Palm Investment Corporation, the Vermont Board of Recreation and the Middlesex Planning Commission as well as being posted in three public places located in Middlesex. Mrs. Patterson stated no response to the Notice had been received from the Middlesex Planning Commission and presented a letter dated November 21, 1983 from Leo Laferriere, Commissioner Vermont Department of Forests, Parks and Recreation, which stated he was in receipt of the Notice and wrote, historically it has been the intent of the Forests, Parks and Recreation Board to encourage towns to continue ownership of highway rights-of-way as "trails" where they are of sufficient length or location to be of value to snowmobilers, cross country skiers, hikers, horseback riders, and other recreational users, enclosed with the letter was a copy of the Board's policy. The letter also stated the State Board of Forests, Parks and Recreation will not be present at the November 28 hearing but does request that the letter be entered into the proceedings of the hearing. The Board of Selectmen did not feel Town highway #30 was of value to recreational users as it is only 897.6 feet in length and dead-ends at the dwelling owned by Palm Investment Corporation. Gary Lamell, Road Commissioner, and the Board of Selectmen expressed their view that Town highway #30 was a Town maintained driveway in that it serviced only land and the one dwelling owned by Palm Investment Corporation.

As no one other than the Board of Selectmen, the Town Clerk/Treasurer and the Road Commissioner appeared, Nancy Burdick-Miller moved and was seconded by Walter Lewis to adjourn the hearing. The motion carried unanimously. The hearing adjourned at 7:30 p.m.

  
\_\_\_\_\_  
Recording Secretary

November 28, 1983 Public Hearing held to determine if Town highway #30 should be discontinued, acknowledgement and approval of minutes by:

Nancy Burdick-Miller  
Nancy Burdick-Miller

Walter H. Kelley  
Walter Kelley

Walter D. Lewis  
Walter Lewis

Thomas O'Neill  
Thomas O'Neill

Middlesex Board of Selectmen, present  
at the Public Hearing

MIDDLESEX, VT TOWN CLERK'S OFFICE:

Received and Recorded this 12th day of December A.D., 1983 at  
10:15 p.m. in the Book of Town Records, Volume 6 at Pages  
167-168.

ATTEST: Salma J. Patterson  
Assistant Town Clerk

MIDDLESEX, VERMONT TOWN CLERK'S OFFICE: Received and Recorded this 12th day of December A.D., 1983 at 9:15 p.m. in the Book of Town Records, Volume 6 at Page 169.

ATTEST: Telma D. Patterson  
Assistant Town Clerk

TOWN OF MIDDLESEX, VERMONT  
SELECTMEN'S REPORT AND ORDER

On November 28, 1983, the undersigned Selectmen of the Town of Middlesex, Vermont, met for the purpose of conducting a hearing relative to the discontinuance of Town highway #30 more particularly identified in the Notice of Hearing dated November 14, 1983.

Notice of said hearing was given to all interested parties as provided by Statute. Said hearing was held in order to determine whether Town highway #30, identified in said Notice, should be discontinued.

Upon review of the written Notice and description of Town highway #30 set forth therein, the taking of evidence, the positions stated by those in attendance, and upon examination of the premises herein, it is hereby found that the public good and necessity require discontinuance of the following described Town highway from this date and it is so ordered:

- (1) All of Town highway #30, extending approximately 0.17 mile westerly of the intersection of Town highway #29 and Town highway #30.

The Town Clerk shall cause this Order to be recorded forthwith in the records of the Town of Middlesex, and shall cause copies of the same to be served upon those parties identified in paragraph (3) of the attached Certificate dated November 15, 1983 by first class mail, postage prepaid.

Done at Middlesex, Vermont this 12th day of December, 1983.

Salmon D. Hall  
Donald Ferris  
Walter H. Kelley  
Walter D. Lewis  
Fred Burdick-Miller  
Board of Selectmen, Town of Middlesex

I, Telma D. Patterson, Assistant Town Clerk of the Town of Middlesex, Vermont, certify that copies of the foregoing Selectmen's Report and Order were mailed, first class postage prepaid, on December 13, 1983 to those parties identified in and at the addresses indicated in paragraph (3) of the Certificate dated November 15, 1983 and of record in the Book of Town Records, Volume 6 at Page 162.

ATTEST: Telma D. Patterson  
Assistant Town Clerk

TOWN OF MIDDLESEX  
MIDDLESEX, VERMONT

NOTICE OF HEARING

The following Town highway located within the Town of Middlesex, Vermont will be reviewed at a public hearing by the Selectmen of said Town to determine whether the sections of the highway described below should be reclassified from class 4 to class 3.

Said hearing will be held at the Town Office Building in the Town of Middlesex, Vermont on September 26, 1983 commencing at 7:30 o'clock in the afternoon and to continue, if need be, from day to day thereafter until completed and all interested parties are heard.

Following the conclusion of said public hearing, the Selectmen of the Town of Middlesex, Vermont shall examine and otherwise inspect the sections of the following described Town highway to determine if the public good requires that the same be reclassified from class 4 to class 3:

- (1) That portion of Town highway #37 extending approximately 0.05 mile southerly from the existing class 3 section located on the northerly end of Town highway #37. Said portion of Town highway #37 proposed to be reclassified is abutted by lands owned by the following:

Carol Duley and Donald Hirsch  
 Adelaide Stoddert, Arthur Gaines, Jr.,  
 Elise Grundlehner, Ruth Sanford and  
 Adelaide Comegys

- (2) That portion of Town highway #37 extending approximately 0.27 mile northerly from the existing class 3 section located on the southerly end of Town highway #37. Said portion of Town highway #37 proposed to be reclassified is abutted by lands owned by the following:

Theodore and Ruth Boucher  
 Robert and Dianne Buchholz  
 Peter Domenicali  
 J. Robert and Shirley Donovan  
 George and Joy Estes, Jr.  
 Annemarie Ferance  
 Frank and Ramona Gabaree

Dated August 15, 1983

Nancy Burdick-Miller

Walter Kelley  
Walter Kelley

Walter Lewis  
Walter Lewis

Thomas O'Neill  
Thomas O'Neill

Donald Tessier  
Donald Tessier

Board of Selectmen, Town of Middlesex

ATTEST:

Eugene Joslin  
Eugene Joslin, Town Clerk

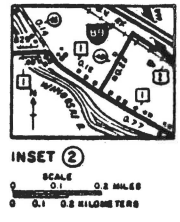
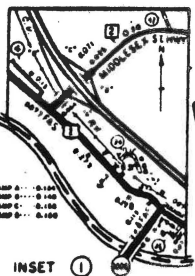
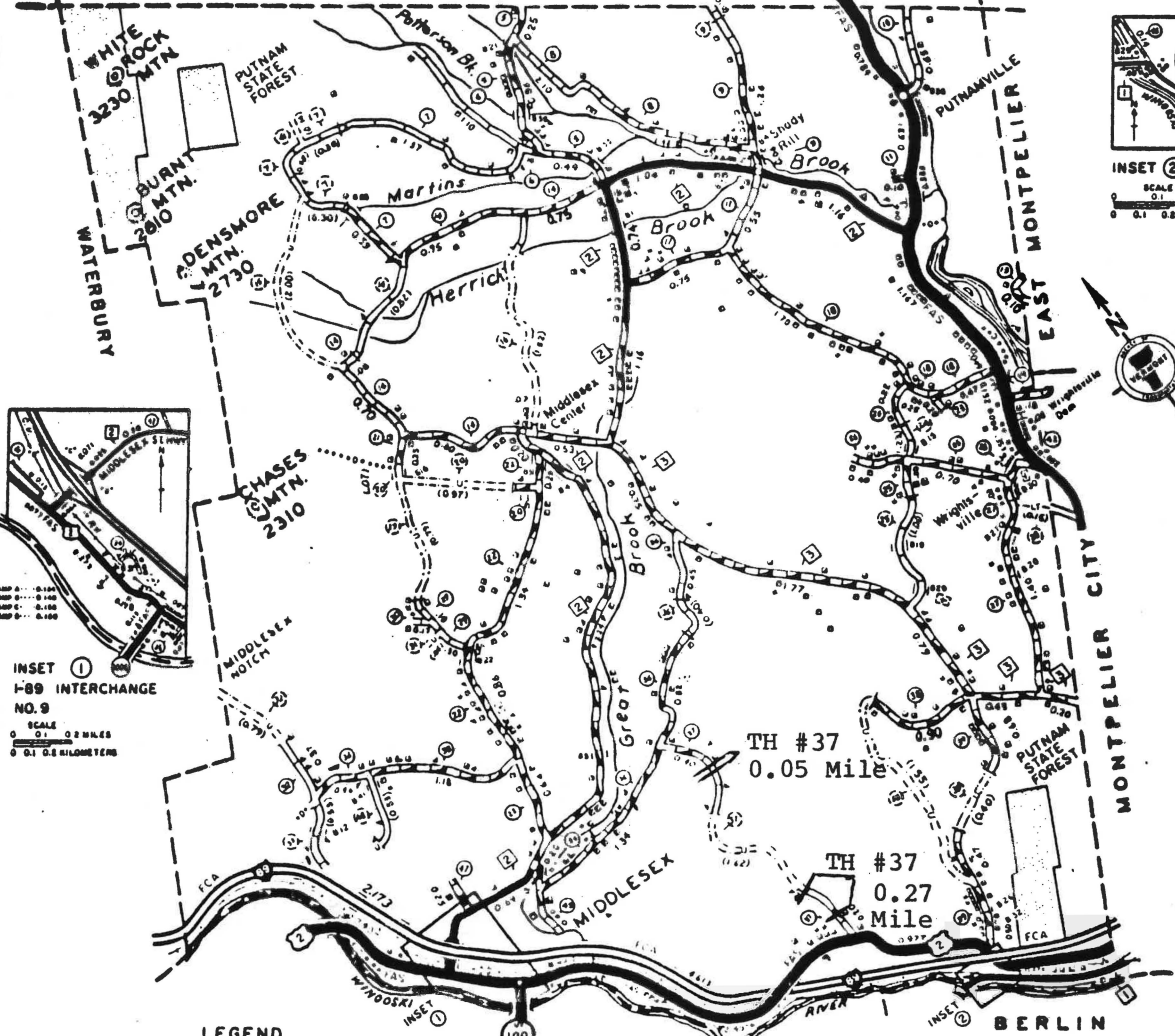
MIDDLESEX, VT TOWN CLERK'S OFFICE Received and Recorded this 15th day of August A.D., 1983 at 8:40 p.m. in the Book of Town Records, Volume at Pages 156-157.

ATTEST: Chandra S. Roberts  
Assistant Town Clerk



SUMMARY OF TOWN HIGHWAYS

TOWN	1,000 TO 1,500 FT. ELEVATION	CLASS
1	0.10	
2	1.30	
3	1.40	
4	2.10	(11-10)
5	2.10	
6	1.30	
7	0.40	
8	0.40	
9	0.40	
10	0.40	
11	0.10	
12	—	
13	0.10	
14	2.20	
15	0.40	
16	0.40	
17	1.20	
18	0.40	
19	0.10	
20	0.10	
21	0.20	
22	0.10	
23	0.20	
24	0.20	
25	1.20	(11-00)
26	0.40	
27	1.70	
28	0.40	
29	0.40	
30	0.17	
31	0.17	
32	0.17	
33	0.17	
34	0.17	
35	0.17	
36	0.17	
37	0.17	
38	0.17	
39	0.17	
40	0.17	
41	0.17	
42	0.17	
43	0.17	
44	0.17	
45	0.17	
46	0.17	
47	0.17	
48	0.17	
49	0.17	
50	0.17	
51	0.17	
52	0.17	
53	0.17	
54	0.17	
55	0.17	
56	0.17	
57	0.17	
58	0.17	
59	0.17	
60	0.17	
61	0.17	
62	0.17	
63	0.17	
64	0.17	
65	0.17	
66	0.17	
67	0.17	
68	0.17	
69	0.17	
70	0.17	
71	0.17	
72	0.17	
73	0.17	
74	0.17	
75	0.17	
76	0.17	
77	0.17	
78	0.17	
79	0.17	
80	0.17	
81	0.17	
82	0.17	
83	0.17	
84	0.17	
85	0.17	
86	0.17	
87	0.17	
88	0.17	
89	0.17	
90	0.17	
91	0.17	
92	0.17	
93	0.17	
94	0.17	
95	0.17	
96	0.17	
97	0.17	
98	0.17	
99	0.17	
100	0.17	
TOTALS	33.78	(46,831)



INSET 1  
I-89 INTERCHANGE  
NO. 9  
SCALE  
0 0.1 0.2 MILES  
0 0.1 0.2 KILOMETERS

LEGEND

- HIGHWAYS**
- 7 DIVIDED HWY., INTERSTATE OR STATE INTERCHANGE NUMBER
  - 2 2-LANE STATE HIGHWAY
  - END OF STATE HIGHWAY
  - TOWN HIGHWAY
  - UNTRAVELED ROAD
  - PRIVATE ROAD AND NUMBER
  - DISCONTINUED HIGHWAY
  - LEGAL TRAIL (FORMER TOWN HWY)
  - FOOT TRAIL
  - 80 INTERSTATE NUMBERED ROUTE
  - U.S. NUMBERED ROUTE
  - STATE NUMBERED ROUTE
  - CLASS 1 TOWN HIGHWAY
  - CLASS 2 TOWN HIGHWAY
  - CLASS 3 TOWN HIGHWAY
  - CLASS 4 TOWN HIGHWAY
  - FCA FULLY CONTROLLED ACCESS
  - FAP FEDERAL AID PRIMARY HIGHWAY
  - FAS FEDERAL AID SECONDARY HIGHWAY
  - NPH NATIONAL FOREST HIGHWAY
  - SPH STATE FOREST HIGHWAY
- ROAD SURFACE TYPES**
- BITUMINOUS MIX., MACADAM MIX., MACADAM PENETRATION, CONCRETE
  - BITUMINOUS CONCRETE, BRICK OR BLOCK
  - SURFACE TREATED GRAVEL
  - GRAVEL
  - SOIL SURFACE (2ND CLASS GRAVEL)
  - GRADED AND DRAINED EARTH
  - UNIMPROVED EARTH
  - PRIMITIVE
- BRIDGES**
- BRIDGE OR CULVERT (LESS THAN 6 SPAN)
  - BRIDGE (OVER 20 SPAN)
  - HIGHWAY UNDERPASS
  - HIGHWAY OVERPASS
  - COVERED BRIDGE
  - 810 BRIDGE NUMBER
- MISCELLANEOUS**
- RAILROAD AND GRADE CROSSING
  - VILLAGE CENTER
  - CEMETERY
  - SANITARY LANDFILL
  - GRAVEL PIT
  - FARM UNIT
  - DWELLING (OTHER THAN FARM)
  - SEASONAL DWELLING
  - BUSINESS
  - SCHOOL
  - CHURCH
- CULTURAL FEATURES**

GENERAL HIGHWAY MAP  
TOWN OF MIDDLESEX

1980 POPULATION 1255  
PREPARED BY  
VERMONT AGENCY OF TRANSPORTATION  
PLANNING DIVISION  
SCALE  
1 MILE  
2 KILOMETERS

**MILEAGE SUMMARY**

CLASS 1 TOWN HIGHWAYS:	0.000
CLASS 2 TOWN HIGHWAYS:	
NO 1	0.93
NO 2	9.33
NO 3	3.94
NO.	
TOTAL, CLASS 2 TOWN HWYS.	14.22
CLASS 3 TOWN HIGHWAYS:	
TOTAL, TOWN HWYS.	33.78
STATE HIGHWAYS:	
INTERSTATE HWY NO. 89	6.786
INTERSTATE RAMPS	0.881
TOTAL, INTERSTATE HWYS.	7.377
STATE HWY. U.S. 2	0.638
STATE HWY. VT. 100-B	0.113
STATE HWY. VT. 12	3.680
STATE HWY. MIDDLESEX	0.170
STATE HWY.	
TOTAL, NON-INTERSTATE HWYS.	9.561
TOTAL, STATE HWYS.	16.938
TOTAL TRAVELED HWYS., FEB. 10, 1981.	64.936

EXCLUDES CLASS 4 MILEAGE

NOTES  
Inventory date of cultural features is 1979  
The untraveled highways (old-out town highways),  
discontinued highways, and legal trails shown hereon  
are those of which the Department of Highways  
has record, others may exist

CERTIFICATE

I, Eugene Joslin, Clerk of the Town of Middlesex, Vermont, do certify that:

(1) The attached Notice of Hearing relative to the reclassification of sections of Middlesex Town highway #37 was adopted at a regular meeting of the Board of Selectmen of the Town of Middlesex, duly warned, called and held on August 15, 1983.

(2) Said Notice of Hearing was posted in the following places in the Town of Middlesex from August 16, 1983 through September 26, 1983, being the date of hearing stated herein:

- (a) Middlesex Country Store
(b) Middlesex Town Clerk's Office
(c) Rumney Memorial School

(3) Said Notice of Hearing was published in the Times Argus, a newspaper of general circulation in the Town of Middlesex on September 12, 1983.

(4) Said Notice of Hearing was mailed on August 16, 1983 to the following at the addresses indicated:

Theodore & Ruth Boucher
RD 3
Montpelier, VT 05602

Annemarie Ferance
269 Highland Rd.
Andover, MA 01810

Robert & Dianne Buchholz
P.O. Box 103
East Montpelier, VT 05651

Frank & Ramona Gabaree
51 Woodrow Ave.
Montpelier, VT 05602

Peter Domenicali
P.O. Box 94
Montpelier, VT 05602

Middlesex Planning Commission
c/o Peter Bluhm, Chairman
RD 3
Montpelier, VT 05602

J. Robert & Shirley Donovan
68 Poirier Place
Burlington, VT 05401

Adelaide Stoddert, Arthur Gaines, Jr.,
Elise Grundlehner, Ruth Sanford &
Adelaide Comegys

Carol Duley & Donald Hirsch
RD 3
Montpelier, VT 05602

c/o Elise Eicks Grundlehner
P.O. Box 336
Beverly Farms, MA 01915

George & Joy Estes, Jr.
P.O. Box 115
Montpelier, VT 05602

ATTEST: Eugene Joslin
Eugene Joslin, Town Clerk
DATED: August 17, 1983

MIDDLESEX, VT TOWN CLERK'S OFFICE: Filed and Recorded this 17th day August A.D., 1983 at 10:30 a.m. in the Book of Town Records, Vol. 6 at Page 154.

ATTEST: [Signature] Assistant Town Clerk

TOWN OF MIDDLESEX MIDDLESEX, VERMONT
NOTICE OF HEARING
The following Town highway located within the Town of Middlesex, Vermont will be reviewed at a public hearing by the Selectmen of said Town to determine whether the sections of the highway described below should be reclassified from class 4 to class 3.
Said hearing will be held at the Town Office Building in the Town of Middlesex, Vermont on September 26, 1983 commencing at 7:30 o'clock in the afternoon and continue, if need be, from day to day thereafter until completed and all interested parties are heard.

Following the conclusion of said public hearing, the Selectmen of the Town of Middlesex, Vermont shall examine and otherwise inspect the sections of the following described Town highway to determine if the public good requires that the same be reclassified from class 4 to class 3.
(1) That portion of Town highway #37 extending approximately 0.27 mile south-erly from the existing class 3 section located on the northerly end of Town highway #37. Said portion of Town high-way #37 proposed to be reclassified is abutted by lands owned by the following:

- Carol Duley and Donald Hirsch,
Adelaide Stoddert, Arthur Gaines, Jr.,
Elise Grundlehner, Ruth Sanford and
Adelaide Comegys

(2) That portion of Town highway #37 extending approximately 0.27 mile north-erly from the existing class 3 section located on the southerly end of Town highway #37. Said portion of Town high-way #37 proposed to be reclassified is abutted by lands owned by the following:

- Theodore and Ruth Boucher
Robert and Dianne Buchholz
Peter Domenicali
J. Robert and Shirley Donovan
George and Joy Estes, Jr.
Annemarie Ferance
Frank and Ramona Gabaree

Dated August 15, 1983
Nancy Burdick-Muller
Walter Kelley
Thomas O'Neil
Donald Tessier
Walter Lewis
Board of Selectmen
Town of Middlesex

NOTICE OF HEARING DATED August 15, 1983  
FOR RECLASSIFICATION OF SECTIONS OF TOWN HIGHWAY #37

Theodore & Ruth Boucher  
RD 3  
Montpelier, VT 05602

George & Joy Estes, Jr.  
P.O. Box 115  
Montpelier, VT 05602

Robert & Dianne Buchholz  
P.O. Box 103  
East Montpelier, VT 05651

Annemarie Ferance  
269 Highland Rd.  
Andover, MA 01810

Peter Domenicali  
P.O. Box 94  
Montpelier, VT 05602

Frank & Ramona Gabaree  
51 Woodrow Ave.  
Montpelier, VT 05602

J. Robert & Shirley Donovan  
68 Poirier Place  
Burlington, VT 05401

Middlesex Planning Commission  
c/o Peter Bluhm, Chairman  
RD 3  
Montpelier, VT 05602

Carol Duley & Donald Hirsch  
RD 3  
Montpelier, VT 05602

Adelaide Stoddert, Arthur Gaines, Jr.,  
Elise Grundlehner, Ruth Sanford &  
Adelaide Comegys  
c/o Elise Eicks Grundlehner  
P.O. Box 336  
Beverly Farms, MA 01915



10

AM

MIDDLESEX, VERMONT TOWN CLERK'S OFFICE: Received and Recorded this 16th day  
of August A.D., 1983 at 4:55 p.m. in the Book of Town Records, Vol. 6 at  
Page 155.

ATTEST: Delma J. Patterson  
Assistant Town Clerk

PUBLIC HEARING: September 26, 1983 at 7:30 p.m. at the Middlesex Town Clerk's Office to determine whether the two sections of Town highway #37 (Barnett Hill Rd.) as described in the Notice of Hearing dated August 15, 1983 should be reclassified from Class 4 to Class 3.

PRESENT WERE:

Selectmen  
Nancy Burdick-Miller  
Walter Kelley  
Walter Lewis  
Thomas O'Neill

Road Commissioner  
Gary Lamell

Interested Parties  
Diane Buchholz  
Robert Buchholz  
Peter Domenicali  
Annemarie Ferance  
Frank Gabaree  
Gleb Glinka  
Pat Legion

Selectman Absent Was:  
Donald Tessier

Hearing was called to order at 7:36 p.m. by Thomas O'Neill, Chairman Middlesex Board of Selectmen. Mr. O'Neill introduced each member of the Board and the Road Commissioner.

Frank Gabaree (property owner abutting portion of Town highway #37 proposed to be reclassified) stated his land has been damaged by the construction and stated he is seeking damages. Gleb Glinka (non-property owner present with Frank Gabaree) stated before a road can be regraded, a permit must be given for regrading. Mr. Glinka asked if the section of the highway being considered for reclassification has ever been surveyed. Thomas O'Neill stated Town highway #37 was surveyed when it was laid out. Mr. Glinka stated a highway to be laid out or altered shall be surveyed as provided by Vermont Statute. Mr. Glinka stated the Selectmen have an obligation to schedule a hearing to consider claims for damages. Mr. Glinka stated he is requesting a hearing be scheduled as required by T.19 V.S.A. Sections 342a and 345 to hear and consider claims for damages. Annemarie Ferance (property owner abutting portion of Town highway #37 proposed to be reclassified) asked what the damages were. Mr. Gabaree stated the road was raised 4 to 5 feet in front of his property, his stone wall was removed and covered, a bulldozer trespassed on his land when stumps were dumped on his land causing the property to be lowered due to the tracks of the bulldozer, the ditch which fronted his property was covered, his trees were cut and stated a ditch was located on his property. Mr. Gabaree stated he never gave anyone permission to trespass, stated he wanted the stumps and ditch removed from his property and wants a ditch put back in front of his property. Mr. Glinka stated Mr. Gabaree is entitled to damages and stated 3 to 4 trees were cut, a gravel turn around was constructed, grass was killed, the land was lowered by a bulldozer when the stumps were moved, a ditch was constructed, trespassing occurred and stated Mr. Gabaree was never notified until the work was well underway. Gary Lamell stated there was not a ditch located in front of Mr. Gabaree's property prior to construction of the highway and stated the entire roadbed was not raised 4 to 5 feet. Mr. Lamell stated the crown of the road was raised 4 to 5 feet. Peter Domenicali (property owner abutting portion of Town highway #37 proposed to be reclassified) stated stumps and the ditch were located on Ferance's property according to the survey map of her property and were located with her permission. Frank Gabaree presented a copy of a prior deed in his chain of title which he stated called for a rectangular parcel of land 185 feet x 85 feet x 185 feet x 85 feet. Mr. Gabaree stated his deed calls for all and the same land and premises as this former deed but that the description is wrong in that a line was left out and describes a triangle 185 feet by 85 feet x 185 feet. Mr. Glinka stated a new deed is being prepared to correct this discrepancy. Walter Kelley asked if the deed called for the degree of angles to determine is the parcel is a rectangle. Mr. Gabaree stated no. Mr. Domenicali stated he found it hard to believe that three surveyors overlooked this, two of whom surveyed the line between Ferance's and Gabaree's property and the

MIDDLESEX, VERMONT TOWN CLERK'S OFFICE: Received and Recorded this 10th day of October A.D., 1983 at 9:55 p.m. in the Book of Town Records, Volume 6, at Pages 158-159.

ATTEST: *Chloe D. Robinson*  
Assistant Town Clerk

other one who prepared the Town's Tax Maps. Mr. Lamell asked if the damages occurred outside of Mr. Gabaree's boundaries. Mr. Glinka stated they occurred inside and outside. Mr. Domenicali stated he would have the ditch and stumps removed and the gravel smoothed out. Mr. Glinka stated the Town should have surveyed the road as required by T.19 V.S.A. in sections 342 through 346. Mr. Glinka stated the Statute states the highway shall be surveyed when altered and stated if the hearing was held prior to the construction, concerns of property owners would have been heard. Mr. O'Neill again stated the highway was surveyed when it was laid out. Robert Buchholz (property owner abutting portion of Town highway #37 proposed to be reclassified) stated the ditch was located on Ferance's land based on the survey map and stated Mr. Domenicali offered to move the ditch when Mr. Gabaree claimed it was on his land. Mr. Glinka stated they do not want to do things piece meal, want to handle all the damages at once. Mr. Gabaree stated his land has been used as a public dump, stated he does not want money but wants his land returned as it was before construction. Mr. Domenicali asked if these damages were his responsibility. Mr. Glinka stated he wanted to reaffirm his request for a hearing on the question of damages, requested a copy of the survey done on the highway and stated the Board has the option of voting now or waiting 5 years to reclassify, as stated in T.19 V.S.A. Section 17(3)(C) until the question of damages is resolved. Mr. Buchholz stated if another hearing is to be held, it will be compounding the damages as he will be residing on this road this winter with the possibility of no Town maintenance and stated the highway was constructed in good faith according to the specifications given by the Town and under the Road Commissioner's supervision. Mr. Gabaree stated he wants a written agreement that his land will be put back as it was prior to construction and stated he is not against the reclassification of the highway. Mr. Gabaree stated he wants the damages fixed and stated he never gave permission to trespass on his property. Mr. Kelley asked Mr. Domenicali if he had a copy of Annemarie Ferance's survey map when the ditch was located. Mr. Domenicali stated yes, he used the survey map to locate the ditch. Mr. Lamell asked Ms. Ferance if she owns the land where the ditch and tree stumps are located. Ms. Ferance stated yes and stated they were located with her permission. Mr. Gabaree stated he told Mr. Domenicali the ditch and stumps were on his land when he went up to look at his property. Mr. Glinka stated the point is not if the damages to Mr. Gabaree's land were accidental but that a person has the right for his land to be restored. Mr. Glinka stated Mr. Gabaree is not asking for money. Mr. Glinka stated he wants the opportunity to present evidence of damages and hopes the Board will visit the site. Mr. O'Neill stated the Board would meet with the property owners to examine the highway and to inspect damages claimed, and stated the parties would be notified of the place, date and time. Mr. Glinka asked that Mr. Gabaree and himself be allowed to be present and that the Town Attorney be present. Mr. O'Neill asked if there were any other comments. Ms. Ferance stated she goes along with what Mr. Domenicali has done and is all for changing the classification. Mr. Buchholz asked for a speedy hearing.

Walter Lewis moved and was seconded by Walter Kelley to adjourn. The motion carried. Hearing adjourned at 8:25 p.m.

Delma J. Palmer  
Recording Secretary

Minutes approved by:

Thomas O'Neill  
Thomas O'Neill, Chairman

Walter Lewis  
Walter Lewis, Vice-Chairman

Walter H. Kelley  
Walter Kelley, Member

Nancy Burdick-Miller  
Nancy Burdick-Miller, Member  
Middlesex Board of Selectmen

TOWN OF MIDDLESEX, VERMONT

SELECTMEN'S REPORT AND ORDER

On September 26, 1983, the undersigned Selectmen of the Town of Middlesex, Vermont met for the purpose of conducting a hearing relative to the reclassification of certain sections of Town highway #37 more particularly identified in the Notice of Hearing dated August 15, 1983.

Notice of said hearing was given to all interested parties as provided by Statute. Said hearing was held in order to determine whether certain sections of Town highway #37, identified in said Notice, should be reclassified from class 4 to class 3.

Upon review of the written Notice and description of the section of Town highway #37 set forth as item (1) therein, the taking of evidence, the positions stated by those in attendance, and upon examination of the premises herein, it is hereby found that the public good and necessity require the reclassification and alteration from class 4 to class 3 of the following described section of Town highway #37 from this date and it is so ordered:

- (1) That portion of Town highway #37 extending approximately 0.05 mile southerly from the existing class 3 section located on the northerly end of Town highway #37.

Upon review of the written Notice and description of the section of Town highway #37 set forth as item (2) therein, the taking of evidence, the positions stated by those in attendance, and upon examination of the premises herein, it is hereby ordered that the reclassification and alteration from class 4 to class 3 of the following described section of Town highway #37 be postponed until determination of damages is made:

- (1) That portion of Town highway #37 extending approximately 0.27 mile northerly from the existing class 3 section located on the southerly end of Town highway #37.

The Town Clerk shall cause this Order to be recorded forthwith in the records of the Town of Middlesex, and shall cause copies of the same to be served upon those parties identified in paragraph (4) of the attached Certificate dated August 17, 1983, by first class mail, postage prepaid.

Done at Middlesex, Vermont, this 14th day of November, 1983.

\_\_\_\_\_  
Nancy Burdick-Miller

*Walter H. Kelley*  
\_\_\_\_\_  
Walter Kelley

MIDDLESEX, VERMONT TOWN CLERK'S OFFICE: Received and Recorded this 14th day of November A.D., 1983 at 7:50 p.m. in the Book of Town Records, Vol. 6 at Pages 160-161.

ATTEST: *Shirley D. Peterson*  
Assistant Town Clerk

Walter D. Lewis  
Walter Lewis

Thomas O'Neill  
Thomas O'Neill

Donald Tessier  
Donald Tessier

Board of Selectmen  
Town of Middlesex

CERTIFICATE

I, Telma D. Patterson, Assistant Town Clerk of the Town of Middlesex, Vermont, certify copies of the foregoing Selectmen's Report and Order were mailed, postage prepaid, on November 15, 1983 to those parties identified and at the addresses indicated in paragraph (4) of the Certificate dated August 17, 1983 and of record in the Book of Town Records, Vol. 6 at Page 154.

ATTEST: Telma D. Patterson  
Assistant Town Clerk



MIDDLESEX, VERMONT TOWN CLERK'S OFFICE: Received and Recorded this 14th day of December A.D., 1983 at 11:55 a.m. in the Book of Town Records, Volume 6 at Page 170.

ATTEST: Charmaine P. Robinson  
Assistant Town Clerk

CERTIFICATE

I, Eugene Joslin, Clerk of the Town of Middlesex, Vermont, do certify that:

(1) The attached Resolution relative to the reclassification of a section of Middlesex Town highway #37 was adopted at a regular meeting of the Board of Selectmen of the Town of Middlesex, duly warned, called and held on December 12, 1983.

(2) Said Resolution was mailed on December 14, 1983 by first class mail, postage prepaid, to the following, persons whose lands abutt said portion of Town highway #37 or are otherwise required by State Statute to receive notification, at the addresses indicated:

Theodore & Ruth Boucher  
RR 3  
Montpelier, VT 05602

Annemarie Ferance  
269 Highland Rd.  
Andover, MA 01810

Robert & Dianne Buchholz  
P.O. Box 103  
East Montpelier, VT 05651

Frank & Ramona Gabaree  
5 Woodrow Ave.  
Montpelier, VT 05602

Peter Domenicali  
P.O. Box 94  
Montpelier, VT 05602

Middlesex Planning Commission  
c/o Peter Bluhm, Chairman  
Box 3245 RR 3  
Montpelier, VT 05602

J. Robert & Shirley Donovan  
68 Poirier Place  
Burlington, VT 05401

George & Joy Estes, Jr.  
P.O. Box 115  
Montpelier, VT 05602

ATTEST: Eugene Joslin  
Eugene Joslin, Town Clerk

DATE: December 14, 1983



Washington World 1/10/84

1984

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## Middlesex Denies Property Damage Suit

Special to The WORLD

The Middlesex board of selectmen and road commissioner have filed a firm, blanket denial of all charges made against them in a lawsuit filed last month by town property-owners Frank and Ramona Gabaree.

The Gabarees, represented by Montpelier attorney Gleb Glinka, hold the town responsible for \$25,000 in "compensatory and exemplary damages" as a result of reclassification road-work authorized by the town last spring which, the Gabarees say, ruined their .18-acre plot of land on Barnett Hill Road.

According to town officials, the road-work in question was requested, paid for and supervised by other full-time residents of Barnett Hill Road, who wanted to upgrade the road from Class 4 to 3. According to the Gabarees, who live in Montpelier, the town "maliciously" and without requesting permission, "trespassed" on their land, cut trees, dumped stumps and diverted drainage on their property, all in the course of

upgrading the road in front of their land.

The town's answer, filed with Washington Superior Court, denies "each and every material allegation of law and fact contained" in the Gabaree's complaint. Asked to elaborate Thursday, town attorney Paul Giuliani declined to discuss the pending litigation. He did, however, indicate his and the town's feelings that the \$25,000 relief sought by the Gabarees and their attorney goes "way, way beyond" what is normally sought and allowed by courts in cases where a claim of diminished land value is made. Glinka, when the complaint was filed last month, defended his relief request, saying that the law allows triple damages for every tree taken from the property; hence, the spiralling figure.

A hearing has been set for Jan. 11 at Washington Superior Court to allow counsel to develop a timetable for depositions and motions in the case.

November 21, 1983

Selectmen  
Town of Middlesex  
RFD No. 3  
Montpelier, VT 05602

Dear Sirs:

I am in receipt of your notice regarding discontinuance of Town Highway #30, in the Town of Middlesex.

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

The State Board of Forests, Parks and Recreation will not be present at the November 28 hearing, but does request that this letter be entered into the proceedings of the hearing.

Sincerely,

LEO C. LAFERRIERE  
Commissioner

LCL:klw  
cc: Paul Guare, Executive Secretary, Transportation Board  
George Plumb, Director of Recreation, Dept of FP&R  
Ed Chabot, Supervisor, Town Highway Mapping Unit, Highway Dept ✓

NOV 16 1983

TOWN OF MIDDLESEX, VERMONT

NOTICE OF HEARING

The following Town highway located within the Town of Middlesex, Vermont will be reviewed at a public hearing by the Selectmen of said Town to determine whether the highway described below should be discontinued.

Said hearing will be held at the Middlesex Town Clerk's Office on November 28, 1983 commencing at 7:00 o'clock in the afternoon and to continue, if need be, from day to day thereafter until completed and all interested parties are heard.

Following the conclusion of said public hearing, the Selectmen of the Town of Middlesex, Vermont shall examine and otherwise inspect the following described Town highway to determine if the public good requires that the same be discontinued:

(1) All of Town highway #30 extending approximately 0.17 mile westerly of the intersection of Town highway #29 and Town highway #30. Said Town highway #30 proposed to be discontinued is abutted by lands owned by the following, or persons interested in land abutting such highway are as follows:

Palm Investment Corporation

Dated: November 14, 1983

Form letter  
No objections  
DJ 11/14/83

\_\_\_\_\_  
Nancy Burdick-Miller

Walter H. Kelley  
Walter Kelley

Walter A. Lewis  
Walter Lewis

Thomas O'Neill  
Thomas O'Neill

Donald Tessier  
Donald Tessier  
Board of Selectmen, Town of Middlesex

ATTEST: Debra J. Patterson