

CERTIFICATE OF HIGHWAY MILEAGE FOR YEAR ENDING FEB. 10, 1988

Fill out the certificate, file a copy with the Town Clerk, and mail original to
 Vt. Agency of Transportation, Planning Division before February 10, 1988 .

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

PART I

DISTRICT 6

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

	TOWN HIGHWAYS				STATE HIGHWAYS	TOTAL EXCLUDING CLASS 4
	CLASS 1	CLASS 2	CLASS 3	CLASS 4		
PREVIOUS MILEAGE AS SHOWN FEBRUARY 10, 1987	0.000	5.050	32.040	26.370	7.691	44.781
MILEAGE ADDED SINCE FEBRUARY 10, 1987 EXPLAIN UNDER (1) BELOW						
SUB TOTAL						
MILEAGE SUBTRACTED SINCE FEBRUARY 10, 1987 EXPLAIN UNDER (2) AND (3)				0.300		
TOTAL HIGHWAY MILEAGE FEB. 10, 1988	0.000	5.050	32.040	26.070	7.691	44.781
SCENIC HIGHWAY MILEAGE (19 VSA 2502)						

DURING THE PAST YEAR THE FOLLOWING CHANGES HAVE OCCURRED.

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

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

Portion of TH "30-called" TH 39-1200' (.2 mi) from TH 41
All of TH. 53 (.1 miles) Class 4

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

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

PART II CHECK BOX IF NO CHANGES IN MILEAGES.

PART III

SELECTMEN/ALDERMEN/TRUSTEES
 SIGNATURES

[Handwritten Signature]

Town/City/Village/CLERK SIGNATURE: Marcia McEllynn attests
 that this record of highway mileage was filed and recorded on Jan. 14, 1988.

Approved: [Handwritten Signature] 2-19-88
 Representative, Agency of Transportation Date

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

X

Title 19, V. S. A. Section 305
Added 1985

SEC. 305. MEASUREMENT OF HIGHWAYS

(a) A representative of the agency in the presence of the selectmen or their designee shall measure and inspect the class 1, 2 and 3 town highways in each town at least once every ten years. 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 selectmen shall, after review by a representative of the agency, file with the town clerk a sworn statement of the description and measurements of all class 1, 2 and 3 town highways, then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2 or 3 town highways 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) 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.

(d) The selectmen 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 board by filing a notice of appeal with the executive secretary of the board.

Title 19, V. S. A. Section 2502
Added 1985

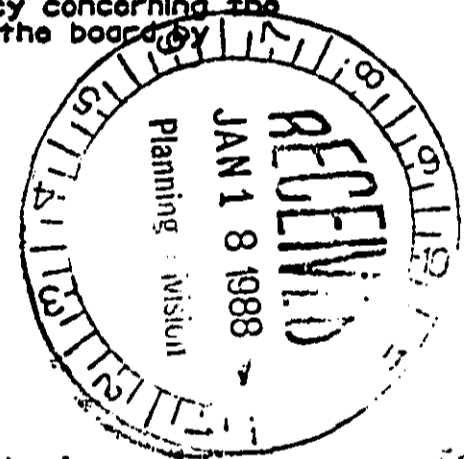
Sec. 2502. TOWN SCENIC ROADS; DESIGNATION AND DISCONTINUANCE

(a) On recommendation of the planning commission of a municipality, or on the initiative of the legislative body of a municipality, a legislative body may, after one public hearing warned for the purpose, designate or discontinue any town highway or portion of a town highway as a town scenic highway. Such action by the legislative body may be petitioned by the registered voters of the municipality pursuant to the provisions of section 1973 of Title 24.

(b) A town scenic road may be reconstructed or improved in a manner consistent with the standards established by the transportation board, pursuant to section 425 of Title 10. A class 1, 2 or 3 scenic highway shall still be eligible to receive aid pursuant to the provisions of this title.

(c) The legislative body of a municipality may appeal for a variance from standards promulgated by the transportation board. In these appeals the board's decision shall be final.

RETURN TO: VERMONT AGENCY OF TRANSPORTATION
DEPARTMENT OF PLANNING AND PRECONSTRUCTION
PLANNING DIVISION
133 STATE STREET
MONTPELIER, VERMONT 05602



Woodbury Board of Selectmen
Minutes of the March 11, 1987 Meeting

1. Meeting convened at 7:05 PM. Present were Ken King, Diana Peduzzi and Larry Rossi.
2. Board organized by electing Ken King as Chairman and Diana Peduzzi as Clerk.
3. Public Hearing convened to address two petitions for road discontinuance. Present were Tre-Gea Bevan, Kelly Janes, Joe McEntyre Everett Kettler, Lynn and Peter Stuart, John Meyer, Sybil Miller and John Riley. Town Highway #53 (petition submitted by Carol Handy) was presented first. Sybill Miller represented Handy. No comments were received.
4. The Public Hearing then moved on to address the petition of Peter and Lynn Stuart to discontinue so-called Town Highway #39, from Town Highway #44 to the end of their property. John Meyer presented the results of a study of maps and surveys which showed that the road did not exist as a recognized town highway in several historical references, the latest being the 1953 USGS survey. Peter Stuart presented his history of problems concerning the road, and Kelly Janes, Stuart's tenant, expanded on the current situation. Bevan commented that the road is now used for recreational purposes and requested that the town or landowner consider not closing off access to horses, etc. Stuart stated that he did not forbid recreational users without motors from traversing his property. Atty. McEntyre presented a letter from the Vt. Dept. of Forests, Parks and Recreation which requested that any through roads which were discontinued be considered for designation as trails. Neither of the roads in question at this hearing would apply. McEntyre showed evidence of having mailed certified letters to all adjoining property owners who could be concerned with these petitions. Receipt of the letter to property owner Martinez was not acknowledged.
5. The hearing adjourned at 7:30. The Board then decided to sign the Report and Order of Road Discontinuance (s).

6. Elwell and Anya Perry joined the Selectmen to discuss their concerns with access to their property at Slayton Pond on Class 4 Town Highway #17. They would like to be able to access their property more easily and are willing to contribute \$1-2,000 dollars or so toward upgrading the road. The Board voiced their concerns regarding the availability of town road crew and equipment to take on the job on top of their regular summer maintenance schedule. Another concern was that the road is a popular drive for four-wheelers and any investment in upgrading the road could be lost through the rough use by disrespectful drivers.

The Selectmen agreed to survey the road's present condition in the spring, and to respond to Mr. Perry with estimates of costs.

7. Routine bills were ordered paid. Marcia McGlynn joined the meeting.
8. Payment of \$35.00 was received from Rubber Bubbles Balloon Co. for their rental of the Town Hall.
9. Before paying insurance bills the Board decided to check with Vail Leach for the results of his look into the VLCT insurance plan, especially as regards Workman's Compensation insurance.
10. Richard Brown brought up the subject of the use of liquid chloride for dust control. After a quick comparative cost analysis it was decided to order 17 tons of chloride (not liquid.)
11. Listers Lisa Batchelder, Steve Freihofner and Randy Blaise joined the meeting and reported on the progress the new board is making in learning their job. The Grand List will probably be filed on time. Lisa will call Tom Vickery to ask for his price to provide consulting services to the listers, and will also request a price quote on the tax billing service.
The contract with Cartographic Associates was discussed and it was clear that no one knew what C.A. needed to begin their job. Lisa reported that Dubois and King have agreed to make all changes and corrections on the original tax maps through 4/1/86. The two Boards then agreed to meet again on March 23, with Vt. Appraisal Company to discuss listing-related services.

12. Listers requested authorization to draw funds to attend upcoming Lister's orientation meeting/workshops. The request was approved.
13. The Money Market account balance was reviewed and the Town Clerk was instructed to transfer \$50,000 into a six-month CD at the best rate she could find.
14. The Board made appointments as follows:
 - Road Commissioner - Richard Brown
 - Zoning Board of Adjustment - Vail Leach (2 Years) and Gordon Batchelder (3 Yrs.) R. Brown was not reappointed.
 - Tree Warden - Richard Brown
 - Weigher of coal, lumber and shingles - Larry Rossi
 - Town Services Officer - Vail Leach
 - Pound Keeper - Graydon Neill
 - Energy Coordinator - Diana Peduzzi
 - Fence Viewer - Board of Selectmen
 - Central Vt. Transportation Assoc. - Diana Peduzzi
 - Central Vt. Economic Development Corp. - Norman Etkind
 - Central Vt. Solid Waste Management District - Vail Leach
15. The Board decided not to reappoint Hugo Meyer to the Planning Commission, and discussed possible new appointments.
16. Cliff Rathburn wishes to resign as Zoning Administrator. The Board discussed possible replacements.
17. Ken delivered a request from Laurie Chartier to erect "Slow Children" signs near her residence on Cranberry Meadow Pond Road. We decided to advise her that home-made signs are often more effective than the usual black-and-yellow caution signs.
19. We talked about the Town Hall rental/maintenance problem but were too tired to deal with it so the item was postponed.
20. Meeting adjourned at 11:30 PM.
18. ~~The Board agreed to pay up to \$200 to someone chosen by the~~ Town Clerk to train her in the duties and procedures of the office.

Ken King
Diana Peduzzi



Mac A. *a Chabot info*

State of Vermont

1987
Jan

AGENCY OF ENVIRONMENTAL CONSERVATION

103 South Main St., 10 South
Waterbury, Vermont 05676

DEPARTMENT OF FORESTS, PARKS AND RECREATION

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

February 20, 1987

Joseph P. McEntyre, Esq.
Box 154
High Street and Towne Avenue
Plainfield, Vermont 05667

Dear Mr. McEntyre:

I am in receipt of your notice to consider the discontinuance of a portion of Town Highway 39 and Town Highway 53.

The Forests, Parks and Recreation Department has no objections to discontinuance of Town Road 53. However, because Town Road 39 is a through road and would have some recreation potential, I suggest that it be discontinued to "trail" status so that the right-of-way is maintained by the town but the town will not be responsible for maintenance as provided for in Title 19, § 775 and § 302 respectively.

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 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.

Although the State Board of Forests, Parks and Recreation will not be represented at your hearing on March 11, 1987, we do request that this letter be entered into the record.

Sincerely yours,
Mollie H. Beattie
Mollie H. Beattie
Commissioner

MHB:jn
cc Paul Guare
Ed Chabot
George Plumb
Enc.

FORESTS, PARKS AND RECREATION BOARD

Discontinuance of Town Highways -
Policy for Designation as Trail

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

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

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

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

Subsection (b): Added."

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

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

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

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

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

JAN 30 1987

JOSEPH P. McENTYRE
ATTORNEY AT LAW
BOX 154
HIGH STREET AND TOWNE AVENUE
PLAINFIELD, VERMONT 05667

CHERYL D. BLISS, SECRETARY

January 28, 1987

TELEPHONE
802-454-7825
802-454-7780

Town of Woodbury Property Owners Affected By Proposed Road Discontinuances From Joseph P. McEntyre, Esq.

I have been asked by the Town of Woodbury Selectpersons to assist them in discontinuing two short sections of Town Roads, pursuant to Petitions from property owners on those roads. Enclosed herewith is a Road Discontinuance Notice for those roads, copies of which have been sent to other interested parties as required by Vermont law. The enclosed Notice will also be published in the local Times Argus sometime in the near future.

It appears unlikely that anyone will question the request for discontinuance of Town Road 53, since that road runs through and ends within the confines of the Carol G. Handy property. However, the portion of Town Road 39 petitioned for discontinuance may serve as a through road for some people from Town Highway 41 to Town Highway 33. However, it is noted that the portion petitioned for discontinuance only runs through property owned by Peter and Lynn Stuart. The remainder of said road would connect up with Town Highway 33 and provide access for other property owners to Town Highway 33. A sketch taken from Town Tax Maps is enclosed herewith to help each of you identify the proposed discontinuance in relation to other roads and property owners along said road.

Sincerely yours,



JOSEPH P. McENTYRE, ESQ.

ROAD DISCONTINUANCE NOTICE

Pursuant to Title 19, Sections 342a and 531 of the Vermont Statutes Annotated, we, the duly elected and authorized Selectmen for the Town of Woodbury, County of Washington and State of Vermont, hereby give notice that, pursuant to Section 341 of said statutes, said Selectmen have been petitioned in writing to discontinue the following Town Roads, or portions thereof, as public roads, as shown on the revised 1986 Vermont Highway District No. 6 road survey map for the Town of Woodbury:

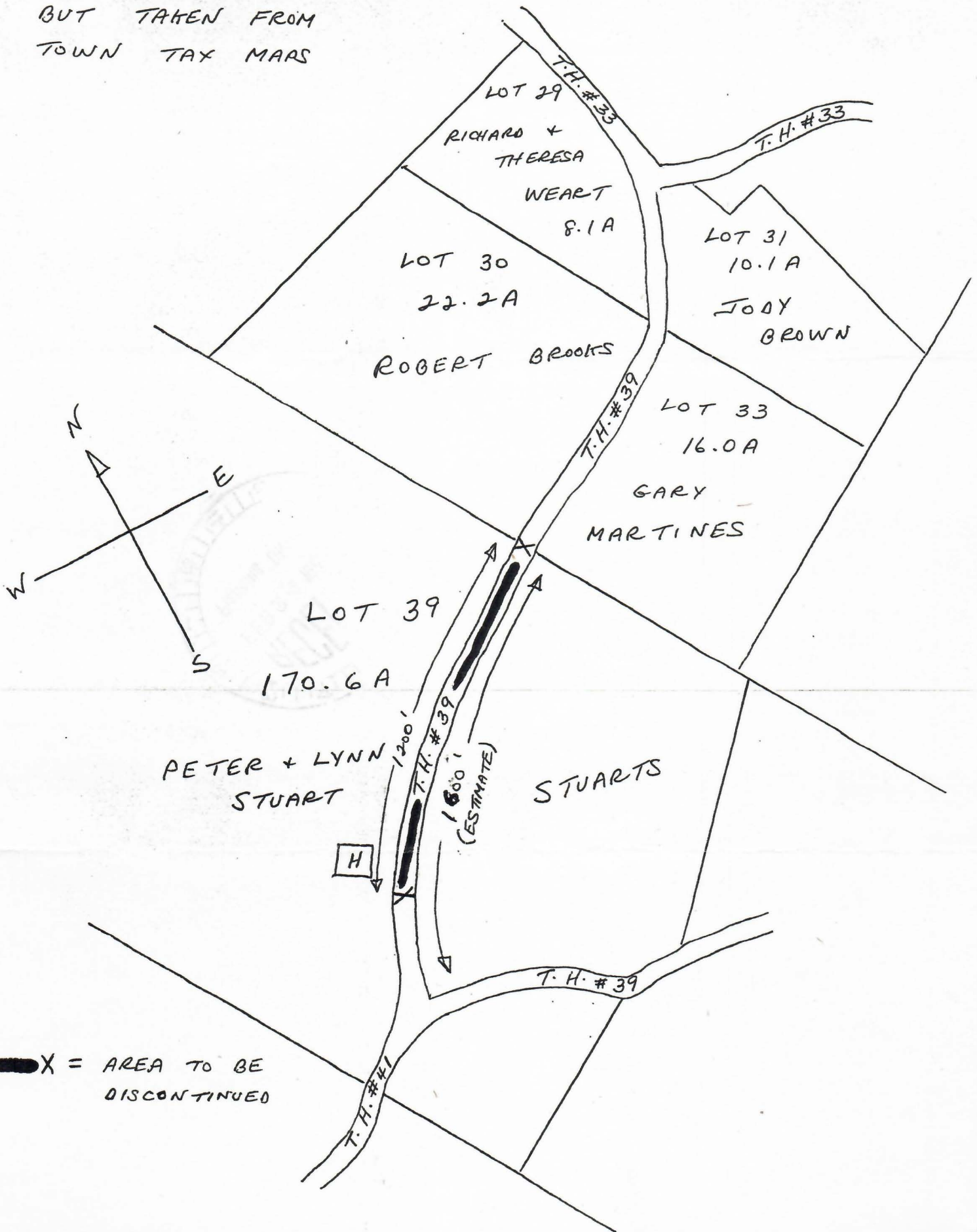
Town Highway 53 - in its entirety, beginning at its junction with Town Highway 33, thence westerly an estimated distance of .10 miles, to its end point easterly of Town Highway 6, said Highway 53 being bordered on both sides by Carol G. Handy only.

Town Highway 39 - (which is not recognized by the Selectmen as a Town Highway but is being noticed for discontinuance hereunder pursuant to landowner petition rights and to legally clarify the status of said road) - a portion thereof; commencing at a point along the westerly side of said road where dwelling buildings owned by and located on lands of Peter and Lynn Stuart are currently erected; thence northeasterly along the general contour of said road a distance of 1200 feet, or an estimated .23 miles, to a point on said road, which extends to the northerly boundary of the said Stuart land.

Further notice is hereby given that on the 11th day of March, 1987 we shall examine the aforesaid premises through which said roads pass and at 7:00 p.m. of said day at the Town Clerk's office in said Town, shall hear all parties interested on the question of the public necessity or convenience for the discontinuance of said roads, or portions thereof.

DATED at Woodbury this _____ day of January, 1987.

★ NOT TO SCALE
BUT TAKEN FROM
TOWN TAX MAPS



X [blacked out] X = AREA TO BE DISCONTINUED