

**CERTIFICATE OF HIGHWAY MILEAGE  
YEAR ENDING FEBRUARY 10, 2010**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2010 to:  
Vermont Agency of Transportation, Division of Planning, Outreach and Community Affairs, One National Life  
Drive, Montpelier, VT 05633.

We, the members of the legislative body of **BROOKLINE** in **WINDHAM** 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
Class 1 Lane	0.000				
Class 2	4.950			4.95	0.000
Class 3	12.07			12.07	0.000
State Highway	0.000				0.000
Class 4	1.12			1.12	0.000
Legal Trail	0.00	1.00		1.00	
<b>Total</b>	17.020			17.020	0.000

\* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications is NOT included in total. 5.110 out for

**PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.**

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

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

**PART III - SIGNATURES - PLEASE SIGN.**

Selectmen/ Aldermen/ Trustees Signatures:

*[Handwritten signatures]*

T/C/V Clerk Signature:

*Penny Harrington*

Date Filed:

Jan 26, 2010

Please sign ORIGINAL and return it for Transportation signature.

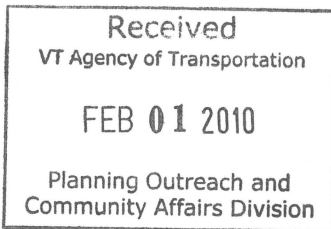
AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:

*[Signature]*  
Representative, Agency of Transportation

DATE:

5/19/2010



## 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.

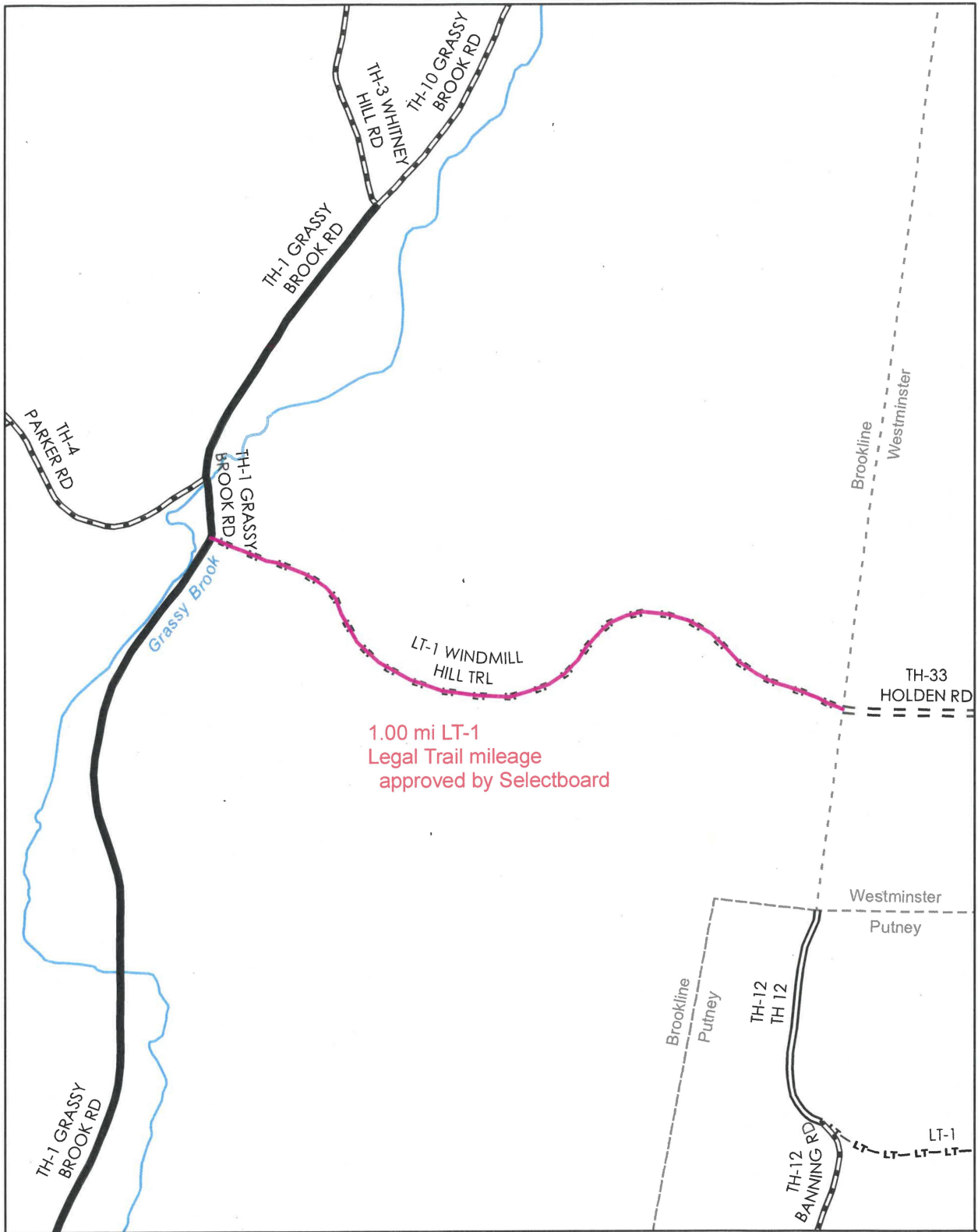
(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of 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 – <http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=19&Chapter=003&Section=00305>

12/29/2009



**Mileage Certificate Change 2010  
BROOKLINE**

Mapping Unit  
Division of Planning, Outreach and Community Affairs  
Vermont Agency of Transportation -- February 2010



**State of Vermont**

**Agency of Transportation**

**Division of Policy, Outreach and Community Affairs - Mapping Unit**

1 National Life Drive  
Montpelier, VT 05633-5001  
<http://www.aot.state.vt.us>

Telephone: 802-828-2109  
Fax: 802-828-2334  
Email: [sara.moulton@state.vt.us](mailto:sara.moulton@state.vt.us)

Brookline  
Chair, Selectboard  
Brookline, c/o Town Clerk  
PO Box 403  
Newfane, VT 05345

January 5, 2010

Below is a table summarizing the information on Legal Trails that is on file in the Mapping Unit. Act 178 of 2006 requires the measurement of trails be included on the sworn statement, the Mileage Certificate. To assist in this, we are providing a summary of the information we have on the trails that are shown on the Town Highway Maps, including mileage and former town highway number. The majority of trails were created by the reclassification of a town highway into a trail, thus the legal trail inherited an official measurement. The former town highway number is included in the FORMER\_RTNAME column, and the former town highway mileage is in the AOTMILES column for each trail. VTrans has assigned a trail number, such as LT-1, to make the trails distinct. If the AOTMILES column is zero, the municipality will need to provide a mileage. The column ARCMILES contains the mileage as generated by the geometry of the trail, as digitized in the Geographic Information System (GIS). The mileages included in this table should be used as approximate mileages and the municipality should measure or verify the mileage of these trails.

A map showing the Legal Trail numbers and mileage has been included with this packet to further assist in this project. Also included is a summary sheet containing additional remarks about the Legal Trails. Any additional trails that exist should be added to the Mileage Certificate, as defined in the provided guidelines. Please feel free to contact us with any questions or comments regarding the above information, or the Mileage Certificates in general.

HIGHWAY / LEGAL TRAIL IDENTIFIER	AOTMILES	ARCMILES	FORMER TOWN HIGHWAY NUMBER
LT-1	1.00	1.00	TH-13

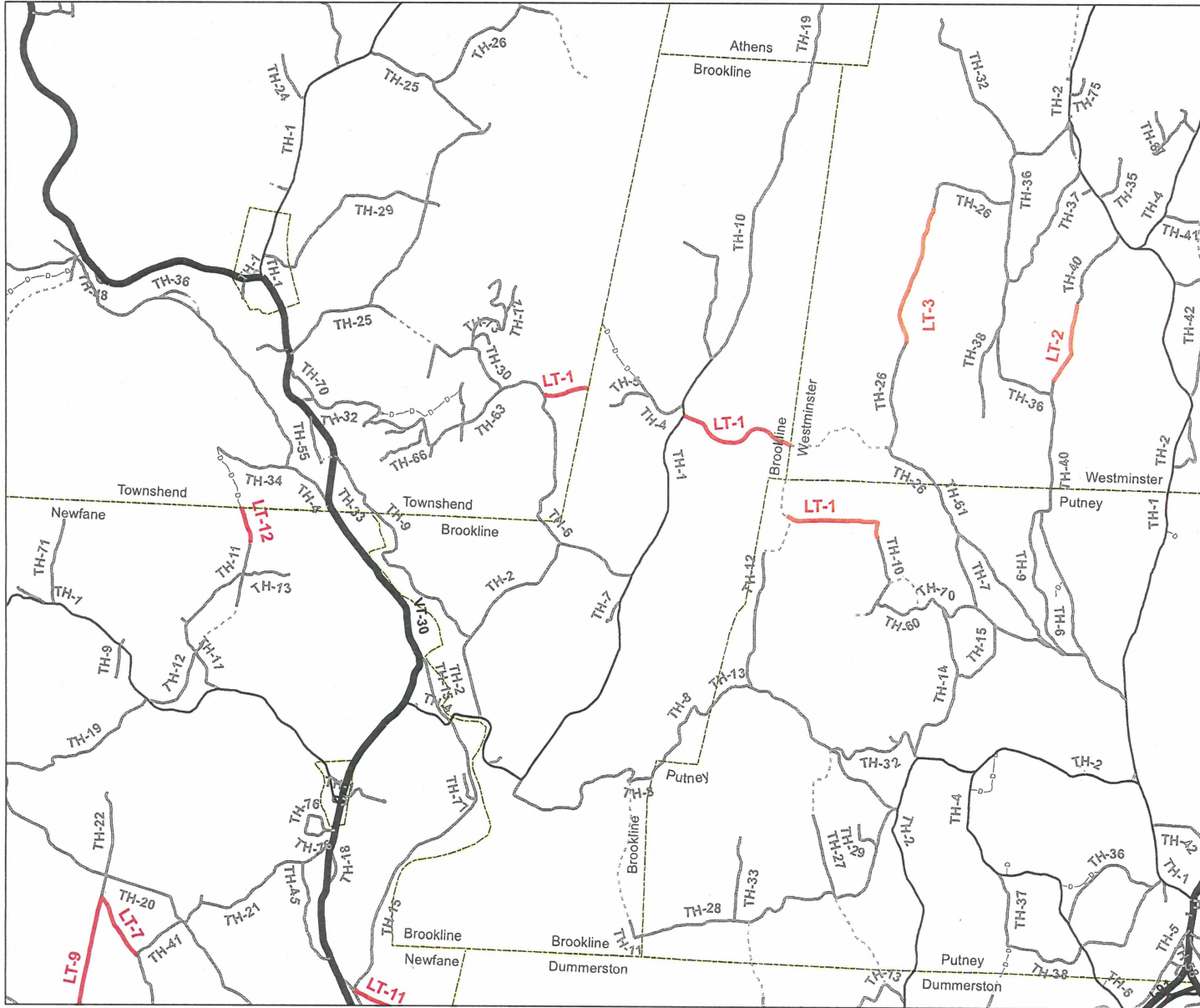
If you have any questions, please call me at 802-828-2109 or send email to [sara.moulton@state.vt.us](mailto:sara.moulton@state.vt.us).

Thank you.

Sara Moulton  
Mapping and GIS Specialist







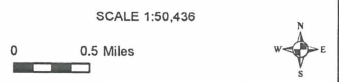
LEGAL TRAIL NUMBER	LENGTH IN MILES
LT-1	1.00

**HIGHWAYS**

- UNVERIFIED LEGAL TRAIL
- INTERSTATE OR DIVIDED HIGHWAY
- STATE - HARD SURFACE OR PAVED
- CLASS 1
- CLASS 2
- CLASS 3
- CLASS 4
- - - VERIFIED LEGAL TRAIL
- - - DISCONTINUED

**LEGAL TRAIL VERIFICATION  
TOWN OF BROOKLINE**

WINDHAM COUNTY  
 Map generated: December 15, 2009  
 Mapping Unit  
 Vermont Agency of Transportation



Brookline Selectboard Minutes  
Public Hearing on Discontinuance of Ancient Roads  
December 2, 2009

1. Chairman Archie Clark called the meeting to order at 6:00 PM. Present were board members David Ryder, Alicia Dest, and Doug Wellman. Also present was member of the public John Butkns.
2. Archie summarized the reasons for the hearing and history of actions the town has taken to identify any ancient roads. Doug summarized a letter received from the State Department of Parks and Recreation, stating they had no objections to mass discontinuance. There was some discussion on the discontinuance process.
3. The meeting was adjourned at 6:26 PM. A Special meeting will be held on December 9<sup>th</sup> at 7:00 PM in the town office to decide if the ancient roads will be discontinued.

Respectively submitted  
Douglas Wellman  
Clerk of the Board

Approved 12/16/09

TOWN OF BROOKLINE  
OFFICE OF THE SELECTBOARD  
LEGAL NOTICE

In accordance with 19 V.S.A. 305(i), the residents and property owners of the Town of Brookline and all interested parties are hereby notified that the Brookline Selectboard will hold a public hearing on December 2, 2009 beginning at 6:00 p.m. in the Brookline Town Office for the purpose of hearing public comment with regards to mass discontinuance of ancient roads.

A copy of this hearing notice is also posted at the town office, bottom of Whitney Hill Road, southern intersection of Hill and Grassy Brook roads, and the Brookline Elementary School. Questions regarding the mass discontinuance can be directed to Douglas Wellman at 365-4648 or wellmand@net-gate.com.

BROOKLINE SELECTBOARD

\_\_\_\_\_  
Archie Clark, Chair

\_\_\_\_\_  
Douglas Wellman

\_\_\_\_\_  
David Ryder

\_\_\_\_\_  
Michael Winot

\_\_\_\_\_  
Alicia Dest

Dated this 28<sup>th</sup> day of October, 2009 at Brookline in the County of Windham, State of Vermont

cc

1. Newfane Selectboard
2. Townshend Selectboard
3. Westminster Selectboard
4. Putney Selectboard
5. Dummerston Selectboard
6. Athens Selectboard
7. Cynthia Nau, Chair Brookline Planning Commission
8. Executive Director, Windham Regional Commission
9. Commissioner, Vermont Department of Forests, Parks and Recreation



Town of Newfane  
P.O. Box 36, Newfane VT 05345

Town of Townshend  
PO Box 223  
Townshend, VT 05353-0223

Town of Westminster  
PO Box 147, Westminster VT 05158

Town of Putney  
*(802) 387-5862 Ext. 14*

Town of Dummerston  
1523 Middle Road • E Dummerston, VT 05346

Town of Athens  
???

Cynthia

Windham Regional Commission  
139 Main Street, Suite 505  
Brattleboro, VT 05301

Commissioner, Vermont Department of Forests, Parks and Recreation  
Vermont Department of Forests, Parks & Recreation  
Forests, Parks & Recreation  
103 South Main Street  
Waterbury, Vermont 05671-0601  
802-241-3670

Brookline Selectboard Minutes  
Special Meeting on Ancient Roads and 2011 Budget  
December 9, 2009

1. Chairman Archie Clark called the meeting to order at 7:05 PM. Present were board members David Ryder, Alicia Dest, and Doug Wellman.
2. Archie summarized the December 2<sup>nd</sup> Ancient Roads Public Hearing. Doug then made a motion that "The Town of Brookline discontinues any roadway not identified on the current Town Highway Map". Seconded, all voted in favor.
3. The Board worked on the draft fiscal year 2011 budget.
4. The meeting was adjourned at 9:02 PM.

Respectively submitted  
Douglas Wellman  
Clerk of the Board

Approved 12/16/09

State of Vermont  
Department of Forests, Parks and Recreation  
103 South Main Street, 10 South  
Waterbury, VT 05671-0601  
www.vtfpr.org

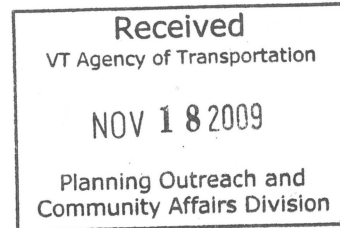
[fax] 802-244-1481  
[tdd] 800-253-0191

Agency of Natural Resources

802.241.3693  
ANR Lands Division

November 16, 2009

Town of Brookline Selectboard  
c/o Penny Harrington, Town Clerk  
P O Box 403  
Newfane, Vermont 05345



Dear Board Members:

We are in receipt of the notice pursuant to the requirements of Title 19 V.S.A. that you propose to discontinue all ancient roads in the Town of Brookline. The Department of Forests, Parks & Recreation has reviewed the proposal and finds that this will not affect any existing trail corridors and therefore, has no objection to the proposed discontinuance. For your information, it has been the policy of this Department to encourage towns to continue ownership of highway rights-of-way where they are of sufficient length or location to be of value to recreational users. Such existing rights-of-way can be valuable recreation resources for our growing population.

With the passage of H. 83 in the 1991 Legislature, the laws regarding Class 4 roads and trails give much more strength to towns in their ability to preserve these rights-of-way. Title 19 V.S.A. 711 states in part:

"...the selectmen may order that the petitioner bear the cost of upgrading a class 4 town highway to the class 3 town highway standards established in 19 V.S.A. 302(a)  
(3)(B). Nothing in this section shall be construed to require a town to maintain a class 4 highway or to upgrade a highway from class 4 to class 3."

Enclosed is a copy of the "Town Policy on Class 4 Roads and Trails," issued by the Vermont Trails and Greenways Council. In addition, you will find a copy of the Department's policy on road discontinuance. You may want to consider a similar policy in Brookline. Having such a policy will help to ensure that you will not be required to maintain Class 4 roads or trails or upgrade them to Class 3.

This Department will not be represented at your meeting on December 2, 2009 but we ask that this letter and attachments be entered into the proceedings. We also request that local trail organizations such as snowmobile clubs be notified of the proposed discontinuance.

Thank you for contacting us on this matter. We always appreciate the opportunity to comment on these important recreation resources.

Sincerely yours,



Mike Fraysier  
ANR Lands Director

Enclosures

Cc: Trails Coordinator, VAST; FPR District Trails Coordinator, Rick White; Planning Office, AOT

FORESTS, PARKS & RECREATION  
VERMONT

**FORESTRY**  
**CENTENNIAL**  
**CELEBRATION**