

District 2
 Certcode 1306-0

**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 **GRAFTON** 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 2	18.300			18.300	0.000
Class 3	30.60			30.60	0.000
State Highway	0.000			—	0.000
Total	48.900			48,900	0.000
* Class 1 Lane	0.000			—	
* Class 4	9.42		0.26 0.067 KAA	4.35 9.16	0.000
* Legal Trail	4.79		1.10	3.69	

S.M.
 K.A.

* 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.

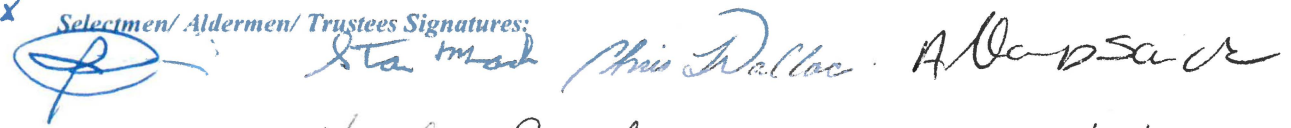
- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
 LIS 1.10 miles
 Portion of Wyman Hill Road TH45 0.26mi ~~0.067~~ miles Class 4
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting)
- SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.

Received
FEB 21 2020
 Policy, Planning & Intermodal
 Development Division

Change adjusted by
 K. Alley (VTrans) as per
 email with W.G. Kearns,
 Town Administrator on
 3/17/2020.

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

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:


T/C/V Clerk Signature: *Kernby Record* Date Filed: 2/18/2020

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 2020-10-07 16:19:33 EDT
 Representative, Agency of Transportation

DATE: October 07, 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.

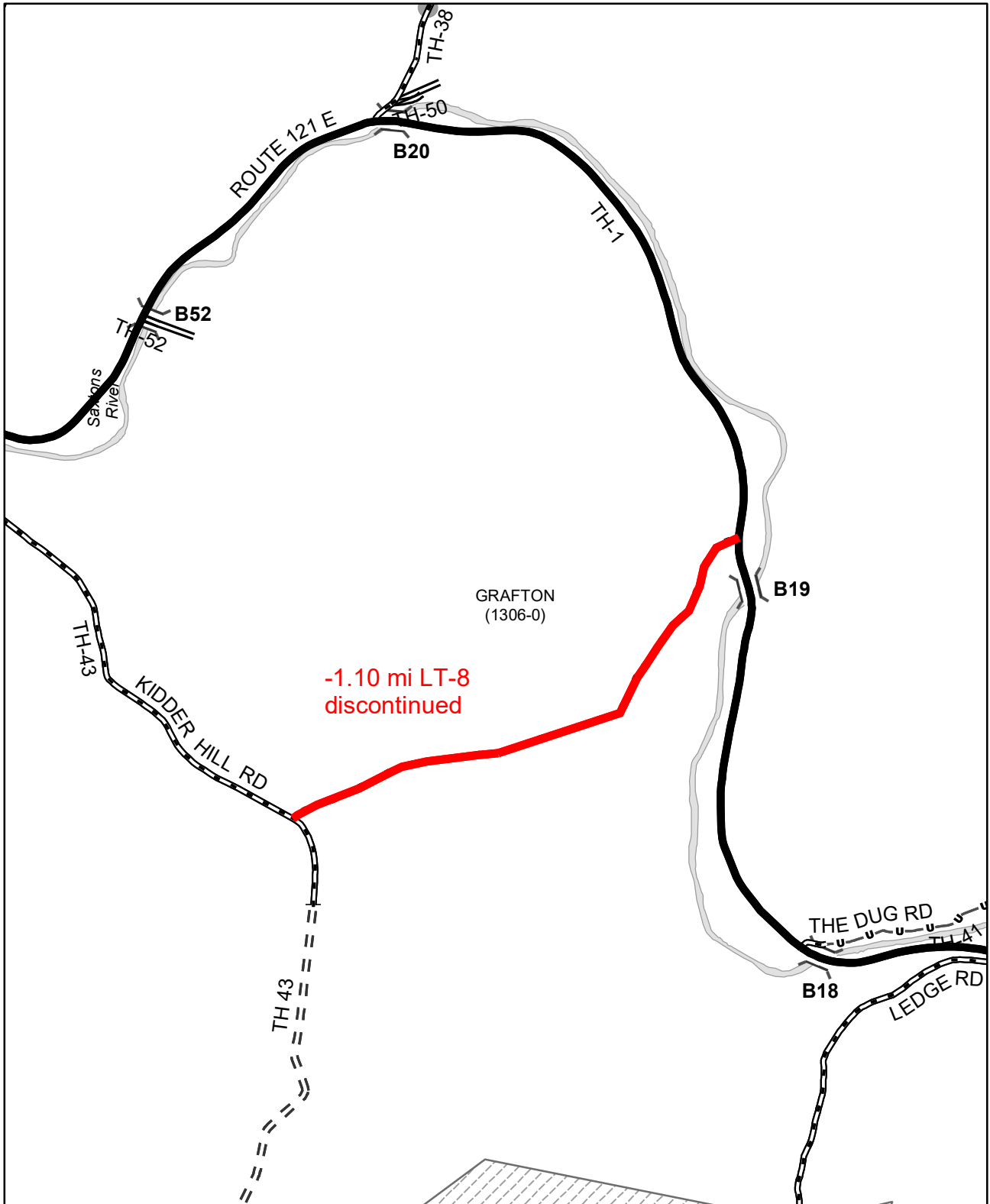
(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of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

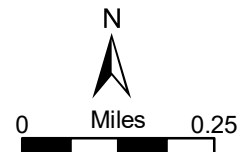


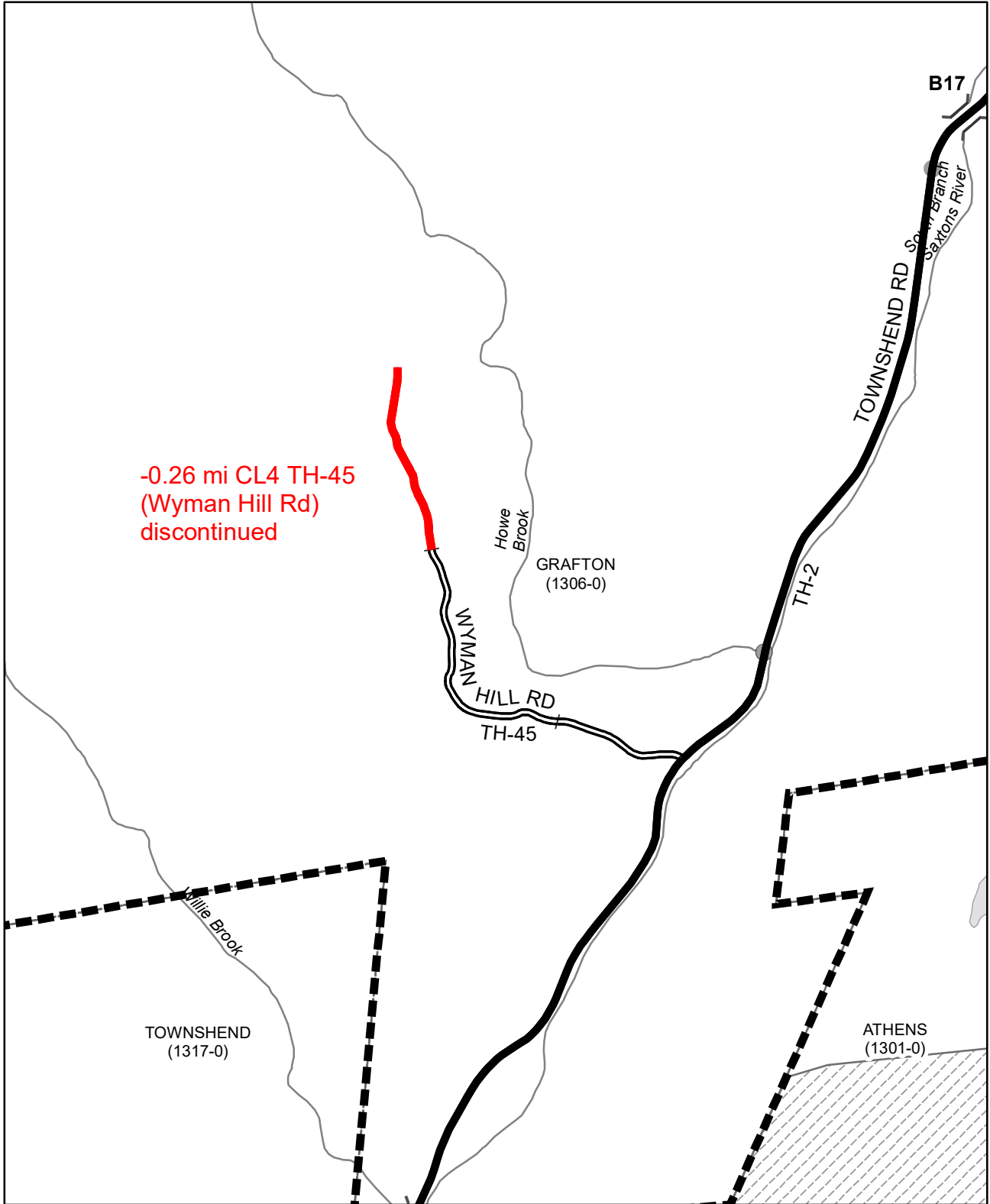
Mileage Certificate Changes 2020

GRAFTON

(CTUA: 1306-0)

Mapping Section
 Division of Policy and Planning
 Vermont Agency of Transportation -- May 4, 2020



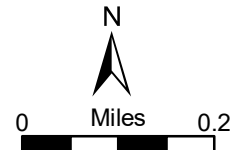


-0.26 mi CL4 TH-45
(Wyman Hill Rd)
discontinued

Mileage Certificate Changes 2020

GRAFTON
(CTUA: 1306-0)

Mapping Section
Division of Policy and Planning
Vermont Agency of Transportation -- May 4, 2020



District 2
Certcode 1306-0

**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 **GRAFTON** 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:

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- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
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LTS 1.10 miles
Portion of Wyman Hill Road TH45 0.067 miles Class 4
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Received

FEB 21 2020

Policy, Planning & Intermodal
Development Division

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

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:


T/C/V Clerk Signature: Bernie Record Date Filed: 2/18/2020

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED: _____ **DATE:** _____
 Representative, Agency of Transportation

Alley, Kerry

From: Grafton Administrator <townadmin@graftonvt.org>
Sent: Tuesday, March 17, 2020 8:07 AM
To: Alley, Kerry
Subject: RE: Mileage for Wyman Hill Rd (TH-45) discontinuance

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Welcome. The Thanks go to you VTrans map people who are so good at this. Thanks. -

William G. Kearns, JD
Grafton Town Administrator
802 843 2552

From: Alley, Kerry <Kerry.Alley@vermont.gov>
Sent: Tuesday, March 17, 2020 8:06 AM
To: Grafton Administrator <townadmin@graftonvt.org>
Subject: Re: Mileage for Wyman Hill Rd (TH-45) discontinuance

Thank you Bill!

Kerry

From: Grafton Administrator <townadmin@graftonvt.org>
Sent: Tuesday, March 17, 2020 8:03 AM
To: Alley, Kerry <Kerry.Alley@vermont.gov>
Subject: RE: Mileage for Wyman Hill Rd (TH-45) discontinuance

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Yes, I can confirm that your assumptions are correct and your attachments show that. Thanks Kerry

William G. Kearns, JD
Grafton Town Administrator
802 843 2552

From: Alley, Kerry <Kerry.Alley@vermont.gov>
Sent: Monday, March 16, 2020 6:47 PM
To: Grafton Administrator <townadmin@graftonvt.org>
Cc: Moulton, Sara <Sara.Moulton@vermont.gov>
Subject: Mileage for Wyman Hill Rd (TH-45) discontinuance

Attached:Grafton_TH45_A_2020.pdf
Grafton_TH45_B_2020.pdf
Grafton_TH45_C_2020.pdf

Hello Bill,

As I mentioned on the phone last Friday, I've attached three maps showing the same area in the vicinity of Wyman Hill Rd (TH-45). Map A shows parcel boundaries and our road centerline data, whereas the other two show only color-infrared or lidar based terrain images (for seeing landscape details).

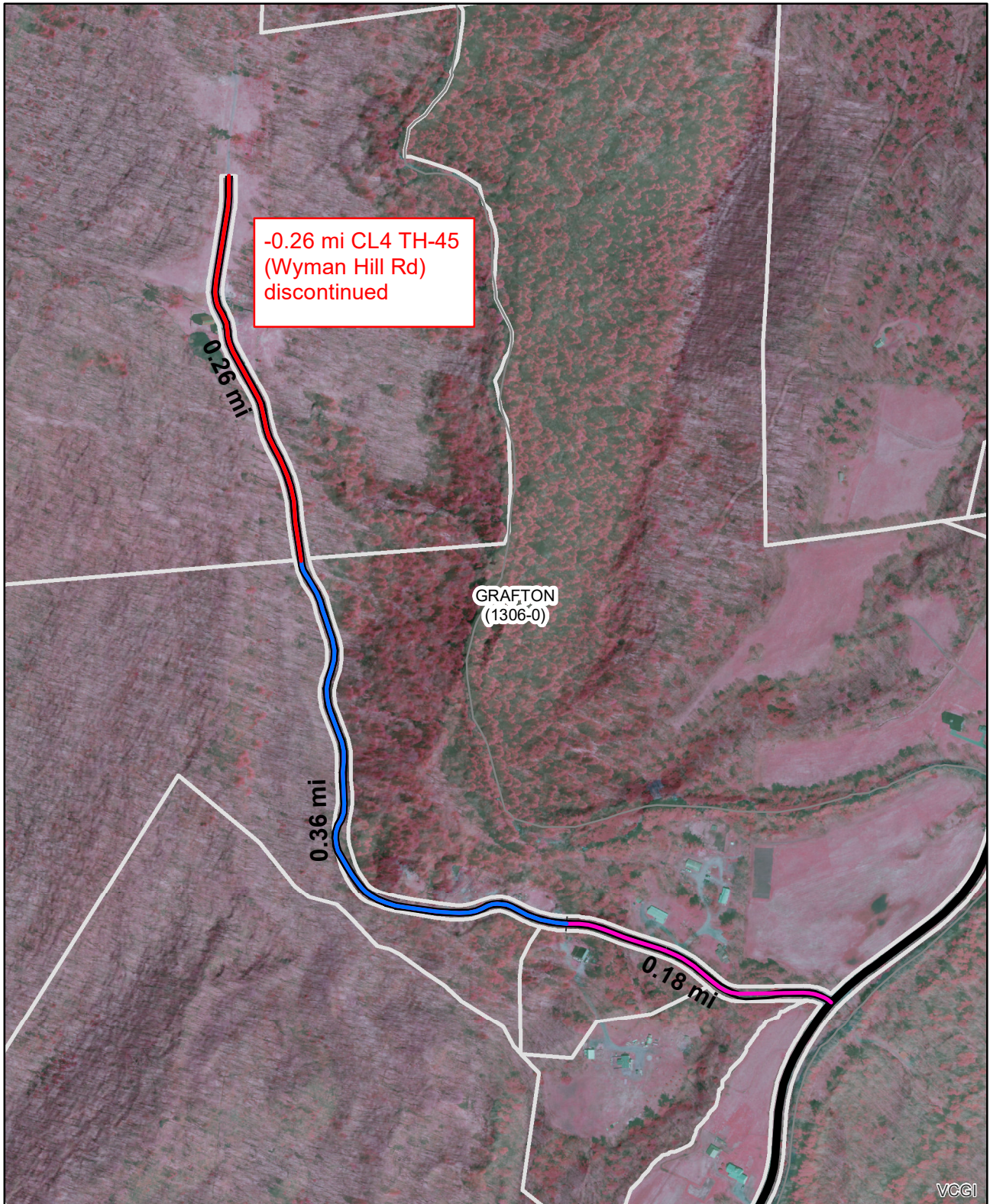
If you look closely at a digital copy of map B, there are hints of a stone wall in the terrain image that coincides with the DeWitt southern property line, as well as what appears to be a turnaround just north of the property line, so I think the parcel is fairly accurate near the road. If that location is the end of TH-45 after the discontinuance, then 0.18 mi class 3 and 0.36 mi class four remain after the discontinuance. Because our records have always included 0.80 mi for TH-45, it is therefore appropriate to subtract 0.26 mi (regardless of the actual length of highway being discontinued) as long as the discontinuance included all of TH-45 that continued north of DeWitt's southern property line.

Can you confirm for me that my assumptions above are correct, and that -0.26 mi class 4 is the appropriate change to record on this year's Certificate to reflect the discontinuance that occurred? If so, then I can make the change on the Certificate myself, initial it, and file a copy of our correspondence with the Certificate.

I haven't had a chance to look at the information sent to Johnathan by DiBernardo yet... I'll keep you posted!

Kerry

Kerry Alley | GIS Professional III
Vermont Agency of Transportation
219 North Main Street | Barre, VT 05641
802-622-1289 | Kerry.Alley@vermont.gov
<http://vttrans.vermont.gov/planning/maps>
(NOTE: new phone number and address)

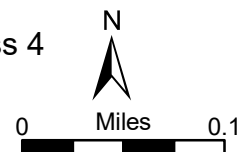


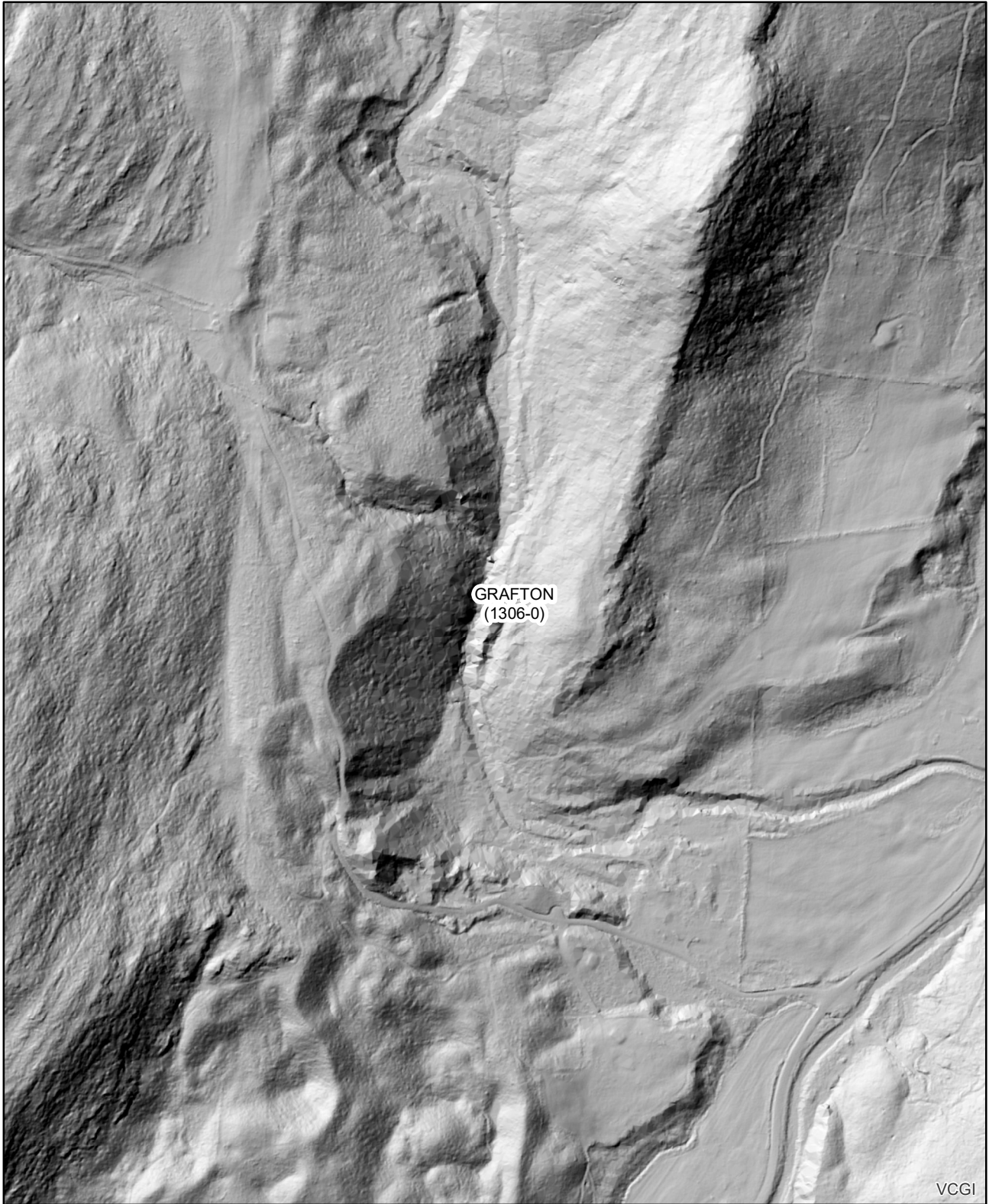
Wyman Hill Rd Discontinuance

TH-45 after discontinuance: 0.18 mi class 3, 0.36 mi class 4

Mapping Section
Division of Policy and Planning
Vermont Agency of Transportation -- March 16, 2020

GRAFTON
(CTUA: 1306-0)





VCGI

Wyman Hill Rd Discontinuance

TH-45 after discontinuance: 0.18 mi class 3, 0.36 mi class 4

GRAFTON
(CTUA: 1306-0)

Mapping Section
Division of Policy and Planning
Vermont Agency of Transportation -- March 16, 2020





VCGI

Wyman Hill Rd Discontinuance

TH-45 after discontinuance: 0.18 mi class 3, 0.36 mi class 4

Mapping Section
Division of Policy and Planning
Vermont Agency of Transportation -- March 16, 2020

GRAFTON
(CTUA: 1306-0)



Wyman Hill

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)
Decision of Order
 - 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



TOWN OF GRAFTON

Discontinuance of a portion of Wyman Hill Rd, TH45 – 0.067 miles

The Town of Grafton and Mr. Dewitt, as can be seen in the attached, was a long feud dating back years.

In February 2016 a settlement was reached. Mr. DeWitt lives at the end of the road and requested that the town discontinue that portion of the road that lies on his parcel. The town agreed to discontinue, and did, the portion of the road lying on his parcel from Mr. DeWitt's property line, a total of 357 feet – which calculates to equal 0.067 miles. In return Mr. Dewitt granted to the Town a Right of Way (see Corrective Easement) for a turn around on his parcel.

The order of discontinuance and the Corrective Easement deed are included here.

This documentation was prepared by the town Attorney at the time. I find no minutes of a hearing or other documentation. It would appear from the wording of the two documents, this documentation should suffice to show the discontinuance of the last 357 feet of this road. Mr. DeWitt is the sole property owner affected and the only owner abutting this portion of the road.

Respectfully,

A handwritten signature in cursive script that reads "William G. Kearns".

William G. Kearns
Town administrator

Received for record Feb 24 2016at 3 o'clock 15 minutes P. M.REPORT AND ORDER OF THE GRAFTON SELECTBOARD REGARDING ~~NOT~~ recorded in Book 56 Page 46-47
PARTIAL DISCONTINUANCE OF TOWN HIGHWAY #45 – WYMAN HILL ROAD Ken Record

Town Clerk

At 3:00 p.m. on January 4, 2016, the Graft Selectboard held a site inspection and at 5:00 p.m. convened a hearing for the purpose of taking testimony of interested persons and others on the proposed discontinuance of a portion of Town Highway #45 – Wyman Hill Road. Notice of the site visit and hearing was published in the Grafton News on December 1, 2015 and posted in the Grafton Town Clerk's Office. Notice by certified mail was sent to the abutters of Wyman Hill Road: John Plummer, Joseph Plummer, Paul Hallock, Elizabeth Vogel, Peter Warren, Sidney Craven, Steven Spett, the Grafton Planning Commission and the Vermont Commissioner of the Department of Forest, Parks and Recreation. Attending the site visit were Grafton Selectboard members Sam Battaglino, Noralee Hall, Gus Plummer, Skip Lisle, Grafton Town Administrator Rachel Williams, Town Attorney Robin Stern, abutters Paul Hallock and John Hallock. Mr. Vance DeWitt remained in his home during the site visit. Attending the hearing were Grafton Selectboard members Sam Battaglino, Skip Lisle, Gus Plummer, Noralee Hall, Grafton Town Administrator Rachel Williams, Town Attorney Robin Stern, and abutter Paul Hallock.

Based upon the evidence presented at the hearing, the Board makes following findings and decision:

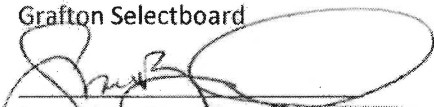
1. The last 357 feet of Town Highway #45, Wyman Hill Road runs through and terminates on Vance DeWitt's property identified as tax parcel # 008-155.
2. The portion of Wyman Hill Road to be discontinued is a Class 4 Road. It lies entirely within and terminates within Vance DeWitt's property. There are no other users of the proposed portion of the road to be discontinued other than Mr. DeWitt and no reason for the Town to have any obligation to keep this portion as a Town road.
3. The Town of Grafton has requested and Mr. DeWitt has agreed to provide the Town with a highway turn-around on his property for the Town highway truck. The right of way turn-around is located approximately 25 feet north of the southerly boundary of Mr. DeWitt's property line off the proposed discontinued portion of the road and is approximately 46'x54' feet in diameter. In connection with and part of the consideration for this discontinuance, Mr. DeWitt shall forthwith execute a revised easement deed to the Town over the proposed discontinued portion of the road to the proposed highway turn-around.
4. Mr. DeWitt will also cooperate with the Town to amend the May 28, 1979 Windham Superior Court Order captioned *Lowe v. Town of Grafton*, Docket No. S25-77 Wmm as recorded Book 30, Page 421 of the Grafton Land Records to terminate the Town's obligations under the Judgment Order as to the discontinued portion of the road.
5. The public good, necessity and convenience of the inhabitants of the municipality require that this portion of Wyman Hill Road should be discontinued.


Therefore, it is ORDERED that the portion of Town Highway #45, Wyman Hill Road commencing at the southerly bounds of Vance DeWitt's property line, tax parcel # 008-155, consisting of approximately 357 feet is hereby discontinued. Title to the discontinued portion of the highway shall

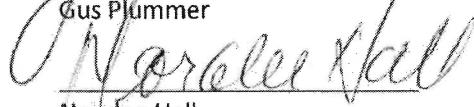
belong to Vance DeWitt. Access along the discontinued highway to Town highway turn-around approximately 46x54 feet in diameter is reserved to the Town, the turn-around to be constructed by the Town approximately 25 feet north of the southerly boundary of Mr. DeWitt's property line off the discontinued portion of the road. Mr. DeWitt shall forthwith execute an easement deed to the Town for this right of way. Mr. DeWitt shall cooperate with the Town to amend the May 28, 1979 Windham Superior Court Order captioned *Lowe v. Town of Grafton*, Docket No. S25-77 Wmm as recorded Book 30, Page 421 of the Grafton Land Records to terminate the Town's obligations under the Judgment Order as to the discontinued portion of the road. This Order together with Selectboard's resolution proposing to discontinue a portion Town Highway #45, Wyman Hill Road shall be filed in the Town Clerk's office.

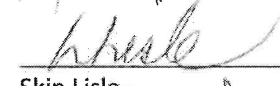
Dated this 1 day of February 2016.

Grafton Selectboard



Sam Battaglino, Chairman

Gus Plummer

Noralee Hall

Skip Lisle

Ron Pilette

Appeal Rights – Any interested person objecting to this decision may appeal the decision in writing to the Vermont Superior Court, Windham Unit, Civil Division within 30 days of this decision.

Vermont Property Transfer Tax Received
Return No. 2016-105 Date 2/24/16
Kevin B. Recard
Town Clerk

TOWN CLERK'S OFFICE, GRAFTON, VERMONT
Received for record Feb 24 2016
at 3 o'clock 15 minutes P. M.
and recorded in Book 56 Page 468-469
Attest Kevin B. Recard
Town Clerk

CORRECTIVE EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, THAT I VANCE DEWITT of the town of Grafton, in the County of Windham and State of Vermont, Grantor, in consideration of One Dollar and other valuable consideration paid to its full satisfaction by the **TOWN OF GRAFTON**, a Vermont municipality, in the County of Windham and State of Vermont, Grantee, by these presents, do freely **GIVE, GRANT, SELL, CONVEY AND CONFIRM** unto the said Grantee, **TOWN OF GRAFTON** and its successors and assigns forever, a certain easement located in the Town of Grafton, in the County of Windham and State of Vermont to wit:

Being a portion of the same lands and premises conveyed to Vance DeWitt by deed of Florian D. Napp dated August 1, 2002 and recorded in Book 42, Page 608 of the Grafton Land Records. Said easement is further described as follows:

Meaning and intending to convey an easement for purposes of a highway truck turn-around together with access to the turn-around leading from Town Highway #45, Wyman Hill Road (the "Road") over the discontinued portion of the Road on Grantor's property, identified as tax map parcel #008-155. The easement is 20' in width commencing at the southerly bounds of Grantor's property line on the discontinued portion of the Road and running in a northerly direction approximately 25' over the discontinued portion of the Road to the turn-around to be constructed by the Town of Grafton. The turn-around is approximately 46' by 54' and is located on the easterly side of the discontinued portion of the Road. Together with the right of the Town to maintain and repair said easement.

This easement is given as part of the discontinuance proceedings of Wyman Hill Road.

The purpose of this Corrective Easement Deed is to correct the Easement Deed granted by the Grantor to the Grantee herein dated May 14, 2015 and recorded in Book 56, Page 41 of the Grafton Land Records.

TO HAVE AND TO HOLD the above granted premises, with all the privileges and appurtenances thereof and thereto belonging unto said **TOWN OF GRAFTON**, Grantee, its successors and assigns, to its own proper use, benefit and behoof forever. And the said **VANCE DEWITT**, Grantor does for himself and his heirs and assigns, covenant to and with the said **TOWN OF GRAFTON**, Grantee, its successors and assigns, that at and until the endearing of these presents he is well seized of the premises, in fee simple, that he has good right and lawful authority to convey the same, in manner and form as is above written; that they are free and clear of all encumbrance, and that he will warrant and defend the same against all lawful claims and demands of any person or persons whomsoever.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 23 day of February 2016.



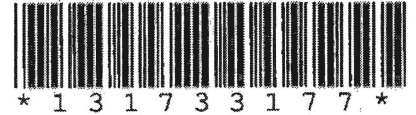
VANCE DEWITT

STATE OF VERMONT)
WINDHAM COUNTY) SS.

At Grafton, this 23 day of February, 2016, Vance DeWitt, Grantor, personally appeared, and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed.

Before me, Kerilynn Record
Notary Public
My Commission Expires: 2/10/2019

VERMONT
Property Transfer Voucher
Form PT-173



Entity BUYER #1 Federal ID number Individual BUYER #1 Social Security Number

INTERNATIONAL

██████████ 9 V.S.A § 2440 (d)

Entity BUYER #1 Name
TOWN OF GRAFTON

Individual #1 Last Name First Name Initial

Entity BUYER #1 or Individual BUYER #1 Mailing Address Following Transfer (Number and Street or Road Name)

PO BOX 180

City or Town State Zip Code
GRAFTON VT 05146

Date of Closing (MM/DD/YYYY)
02/23/2016

Amount of Payment
5.00
Make checks payable to
VT DEPARTMENT OF TAXES

FOR COMPUTERIZED USE ONLY

FID ██████████ SSN INTL
TOWN OF GRAFTON 9 V.S.A. § 2440 (d)

PO BOX 180

GRAFTON VT 05146

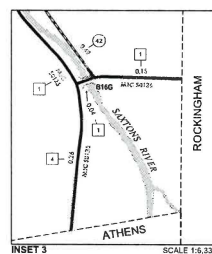
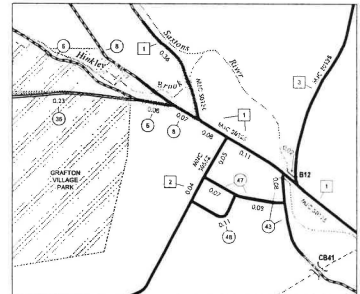
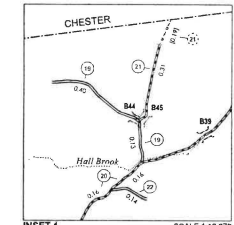
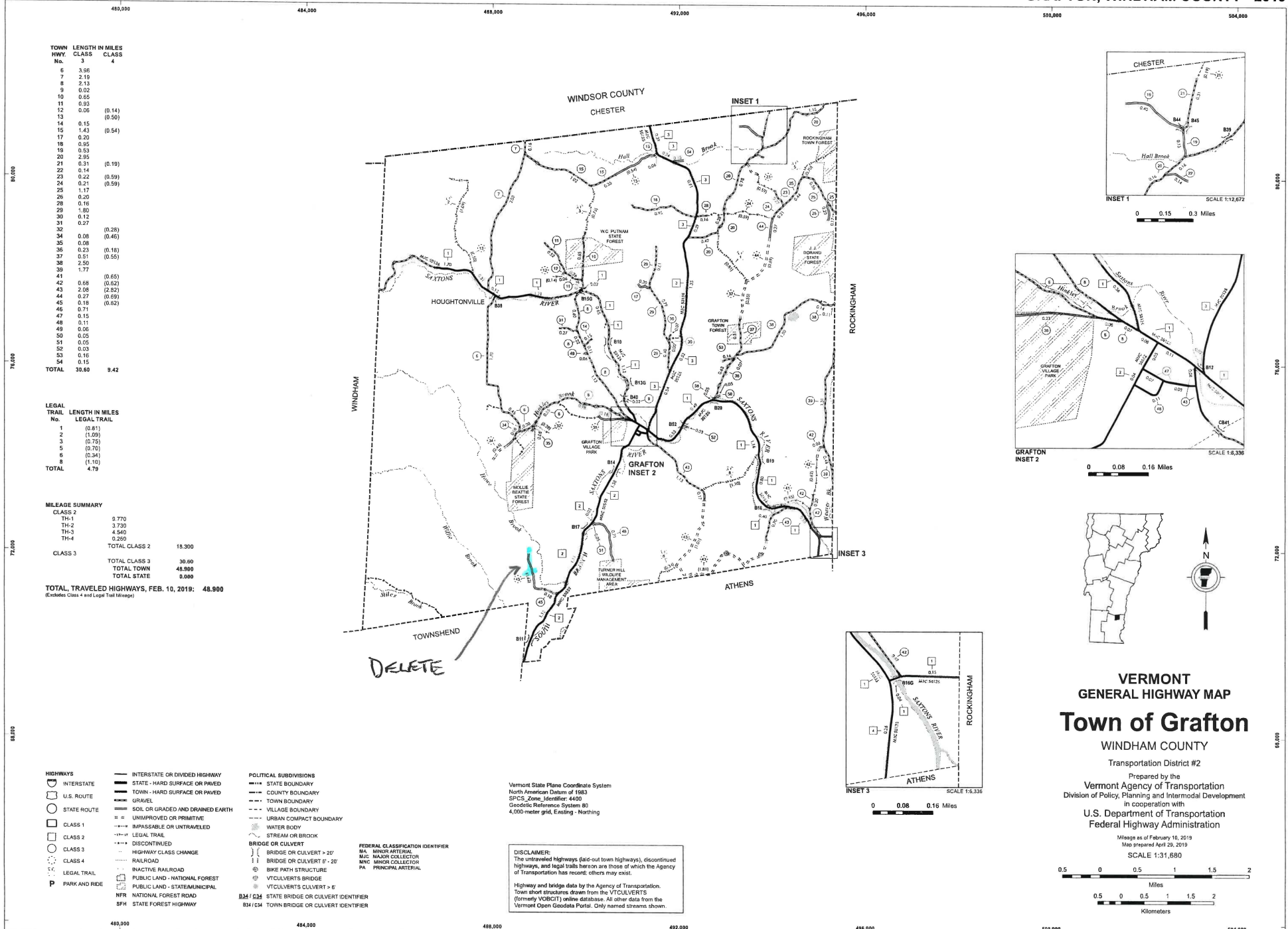
CLOS 02232016 AMT 500

Make checks payable to and send with this voucher to:
Vermont Department of Taxes
133 State Street
Montpelier, VT 05633-1401

All payments must accompany a voucher for proper tax credit.

For assistance with this form and general property transfer tax questions, please call 802-828-6632.

Form PT-173
(5/10).



TOWN HWY. No.	LENGTH IN MILES CLASS 3	CLASS 4
6	3.98	
7	2.19	
8	2.13	
9	0.02	
10	0.65	
11	0.93	(0.14)
12	0.96	(0.50)
13		
14	0.15	
15	1.43	(0.54)
17	0.20	
18	0.95	
19	0.53	
20	2.95	(0.19)
21	0.31	
22	0.14	
23	0.22	(0.59)
24	0.21	(0.59)
25	1.17	
26	0.20	
28	0.16	
29	1.80	
30	0.12	
31	0.27	
32		
34	0.08	(0.46)
35	0.08	
36	0.23	(0.18)
37	0.51	(0.55)
38	2.50	
39	1.77	
41		(0.65)
42	0.68	(0.62)
43	2.08	(2.82)
44	0.27	(0.69)
45	0.18	(0.62)
46	0.71	
47	0.15	
48	0.11	
49	0.06	
50	0.05	
51	0.05	
52	0.03	
53	0.16	
54	0.15	
TOTAL	30.60	9.42

LEGAL TRAIL No.	LEGAL TRAIL LENGTH IN MILES
1	(0.81)
2	(1.09)
3	(0.75)
5	(0.70)
6	(0.34)
8	(1.10)
TOTAL	4.79

MILEAGE SUMMARY	
CLASS 2	
TH-1	0.770
TH-2	3.730
TH-3	4.540
TH-4	0.260
TOTAL CLASS 2	10.300
CLASS 3	
TOTAL CLASS 3	30.60
TOTAL TOWN	48.900
TOTAL STATE	0.000
TOTAL, TRAVELED HIGHWAYS, FEB. 10, 2019:	48.900

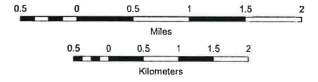
(Excludes Class 4 and Legal Trail Mileage)

- HIGHWAYS**
 - INTERSTATE OR DIVIDED HIGHWAY
 - STATE - HARD SURFACE OR PAVED
 - TOWN - HARD SURFACE OR PAVED
 - U.S. ROUTE
 - STATE ROUTE
 - CLASS 1
 - CLASS 2
 - CLASS 3
 - CLASS 4
 - LEGAL TRAIL
 - PARK AND RIDE
- POLITICAL SUBDIVISIONS**
 - STATE BOUNDARY
 - COUNTY BOUNDARY
 - TOWN BOUNDARY
 - VILLAGE BOUNDARY
 - UNIMPROVED OR PRIMITIVE
 - UNIMPROVED OR PRIMITIVE
 - WATER BODY
 - STREAM OR BROOK
 - BRIDGE OR CULVERT
 - BRIDGE OR CULVERT > 20'
 - BRIDGE OR CULVERT < 20'
 - BIKE PATH STRUCTURE
 - VTCULVERTS BRIDGE
 - VTCULVERTS CULVERT > 6'
 - STATE BRIDGE OR CULVERT IDENTIFIER
 - TOWN BRIDGE OR CULVERT IDENTIFIER
- FEDERAL CLASSIFICATION IDENTIFIER**
 - MA - MAJOR ARTERIAL
 - MA - MAJOR COLLECTOR
 - MNC - MINOR COLLECTOR
 - PA - PRINCIPAL ARTERIAL

Vermont State Plane Coordinate System
 North American Datum of 1983
 SPCS_Zone_Identifier: 4400
 Geoidetic Reference System 80
 4,000-meter grid, Easting - Northing

DISCLAIMER:
 The untraveled highways (aid-out town highways), discontinued highways, and legal trails herein are those of which the Agency of Transportation has record; others may exist.
 Highway and bridge data by the Agency of Transportation. Town short structures drawn from the VTCULVERTS (formerly VORCTI) online database. All other data from the Vermont Open Geodata Portal. Only named streams shown.

VERMONT
GENERAL HIGHWAY MAP
Town of Grafton
 WINDHAM COUNTY
 Transportation District #2
 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
 Maps as of February 10, 2019
 Map prepared April 29, 2019
 SCALE 1:31,680



Grafton Select Board, Grafton VT

Public Hearing Minutes

Date: Monday, January 4, 2016

Select Board Members Present: Sam Battaglino, Gus Plummer, Skip Lisle, Noralee Hall.

Select Board Members Absent: Ron Pilette.

Community Members Present: Paul Hallock, Rachel Williams (Town Administrator).

Convened: 5:07 PM

Adjourned: 5:23 PM

Motions Underlined, Votes CAPS.

Public Comment: Paul Hallock asked if the Wyman Hill Road (Class 4 portion) will continue to be town maintained prior to the proposed discontinuance. The road will continue to be maintained at the standards which are currently in place. The only portion of the road that will no longer be maintained is the portion in the proposed discontinuance, which is on Mr. DeWitt's property.

DeWitt Discontinuance: The Town Attorney, Robin Stern, discussed the request by Mr. Vance DeWitt to discontinue a portion of Class 4 Town Highway # 45. The public notice has been posted and published, the abutters have been notified, and a site visit has been held. In attendance of the site visit, held on Monday, January 4th at 3pm, were: Paul Hallock, John Hallock, Sam Battaglino, Skip Lisle, Gus Plummer, Noralee Hall, Rachel Williams and Robin Stern. The next step is to approve or deny the discontinuance, and if approved, an order will be signed by the Select Board. There are specific conditions which were stated in the resolution, such as: the easement and turn around installation. At the site visit there was a discussion to moving the turnaround from 15' to 25' from the beginning of Mr. DeWitt's property line. A revision to the easement will need to be completed. If the discontinuation request is approved, it will be subject to the easement agreement and payment for services rendered pertaining to the resolution. Robin Stern has contacted Ryan Horvath, from the Department of Forests, Parks and Recreation with notification of the discontinuance. Whenever a Town discontinues a road, the state must be notified. The state has a final say in the process, but considering that the road ends on Mr. DeWitt's property, she doesn't see the state denying the discontinuance. Discussion on the court order, from the 1970's, which will need amending and will be signed along with the order. Discussion and review of the Town highway map and the layout of Wyman Hill Road. Motion to approve the discontinuance in the accordance with the resolution, subject to the modification of the easement (Sam Battaglino) PASSED. The order must be signed 60 days from today's date.

Next Meeting Date:

- Select Board Meeting - Monday, January 4, 2016 @ Grafton Elementary School, 6PM.

Adjourn: Motion to Adjourn. (Sam Battaglino) PASSED.

RESOLUTION

RESOLVED that a portion of Road #45, Wyman Hill Road, so-called (the "Road"), consisting of approximately of 300 – 400 feet which abut Vance DeWitt's property, be discontinued pursuant to the procedure under Title 19, Chapter 7 of the Vermont Statutes Annotated. Vance DeWitt, who has requested the discontinuance, shall be responsible for all costs related to the discontinuance procedure, including but not limited to drafting and publication of notices, mailing of notices, town's attorney fees (anticipated to be approximately \$2000-\$3,000) and to be deposited with the Town prior to the commencement of the discontinuance action), and recording fees. In connection with this discontinuance, Vance DeWitt, for himself and heirs and assigns, agrees to provide a turn-around at all times adequate for the Town Highway Department and to execute an amended easement deed as required by the Town. Mr. DeWitt will provide material approved by the Town for the turn-around and access. The Town will construct and maintain the turn-around. This provision for a turn-around shall be included in any order of discontinuance. Vance DeWitt acknowledges and accepts that the Selectboard does not guaranty the outcome of the discontinuance action. The discontinuance shall be completed within one year or this resolution shall be void. Upon discontinuance of the Road, Vance DeWitt and the Town hereby agree to jointly amend the Judgment dated May 28, 1979 captioned *Lowe v. Town of Grafton*, Docket No. S25-77 Wmm (the "Judgment Order") and recorded in Book 30, Page 421 of the Grafton Land Records, to discontinue the Town's obligation for maintenance of the Road and culverts which abut Vance DeWitt's property.

LT-8

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

FINDINGS OF FACT AND DECISION

DISCONTINUANCE of LEGAL TRAIL 8 from KIDDER HILL ROAD to ROUTE 121 EAST in the TOWN OF GRAFTON, VT HEARING before the GRAFTON SELECTBOARD

September 16, 2019

FINDINGS OF FACT:

On motion duly made and seconded and unanimously passed, the Selectboard of the Town of Grafton found:

- The Selectboard, at the request of the landowners, initiated these proceeding to discontinue the Legal Trail 8 from Kidder Hill Road to Route 121 East, a distance of 1.10 miles. 19 VSA §708.
- That all the notice requirements required by 19 VSA §709, including written notice to abutters Grafton Improvement Association and Hayden and Norah Lake, Michael M. and Lorrie Young, the Department of State Forest Parks and Recreation, publication and posting to the abutting landowners, named above and to the Grafton Planning Commission.
- All interested parties present, desiring to be heard, have been heard including Bill Kearns Town Administrator.
- All of Legal Trail 8 to be discontinued is 1.10 miles in length and is located on land belonging to Grafton Improvement Association, Hayden Lake and Norah Lake, Danny Young and Michael M. and Lorrie Young.
- The Tax ID Parcel Numbers of the parcels are Grafton Improvement Association Parcel ID No. 009056 and Lake Parcel Nos. 009054 and 009047.2, Danny Young Parcel ID No. 009047.3 and Michael M. and Lorrie Young Parcel ID No. 009047.4
- That the public good, necessity and convenience of the inhabitants of the municipality require that the highway be discontinued.
- That the discontinuance being upon the lands of the Grafton Improvement Association Parcel No. 009056 and Hayden and Norah Lake's Parcel Nos. 009054 and 009047.2, and Danny Young Parcel No. 009047.3 and Michael M. and Lorrie Young Parcel No. 009047.4, the lands of the discontinued right-of-way revert to the ownership of the abutters pursuant to 19 VSA 775, which states that the discontinued right-of-way "shall belong to the owners of adjoining lands" thus the Grafton Improvement Association shall own the right-of-way passing through its parcel and, likewise Norah and Hayden Lake shall own the right-of-way running through their parcels, and Danny Young shall own the right-of-way running through his parcel, and Michael M. and Lorrie Young shall own the right-of-way running through their parcel.
- That Hayden Lake and Norah Lake retain a private right-of-way over the former town highway, Legal Trail 8, for any necessary access to their Parcel No. 009054 from Kidder Hill Road across the Grafton Improvement Association Parcel No 009056, Danny Young Parcel No. 009047.3 and Michael M. and Lorrie Young Parcel No. 009047.4, and for the maintenance of the right-of-way, pursuant to 24 VSA 717(c), which states in part, "shall retain a private right-of-way over the former town highway...for any necessary access to the parcel of land ...and maintenance of his or her right-of-way."
- That this discontinuance is of the entirety (1.10 miles) of Legal Trail 8 as depicted on the Vermont General Highway Map, Town of Grafton, Prepared April 29, 2019 and of the Town Highway described in Grafton Land Record BK1 (B) at page 150.

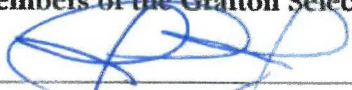
DECISION OF THE SELECTBOARD, September 16, 2019:

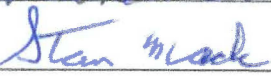
On motion duly made and seconded and unanimously passed, the Selectboard of the Town of Grafton decided: Having found that public good, necessity and convenience of the inhabitants of the municipality require that the highway be discontinued, the Selectboard hereby discontinues Legal Trail 8 from the easterly side of the Kidder Hill Road Right-of-Way a distance of 1.10 miles, that is, the entirety of the length of LT 8 from Kidder Hill Road to Route 121 East, as depicted on the Vermont General Highway Map, Town of Grafton, Prepared April 29, 2019, including all of the portion described in BK1 (1B) page 150 in the Grafton Land


Records, the discontinuance being upon the lands of the Grafton Improvement Association Parcel No. 009056, Hayden and Norah Lake Parcel Nos. 009054 and 009047.2, Danny Young Parcel No. 009047.3 and Michael M. and Lorrie Young Parcel No. 009047.4, the lands of the discontinued right-of-way revert to the ownership of the abutters pursuant to 19 VSA 775, which states that the discontinued right-of-way "shall belong to the owners of adjoining lands" thus the Grafton Improvement Association shall own the right-of-way passing through its parcel and likewise Norah and Hayden Like, Danny Young and Michael M. and Lorrie Young the right-of-way running through their parcels, and in addition Hayden Lake and Norah Lake retain a private right-of-way over the former town highway, Legal Trail 8, for any necessary access to their Parcel No. 009054 from Kidder Hill Road across the Grafton Improvement Association Parcel No 009056 and from Route 121 E across the land of Michael M. and Lorrie Young Parcel 009047,4 and Danny Young Parcel No. 009047.3 for the maintenance of the right-of-way, pursuant to 24 VSA 717(c), and this decision shall be recorded in the Records of the Town of Grafton and properly indexed. This decision, when faithfully transcribed, shall be executed by all the members of the Selectboard, who were present at this hearing, and bear the date of this decision, that is, September 16, 2018.

Executed this September 16, 2019,

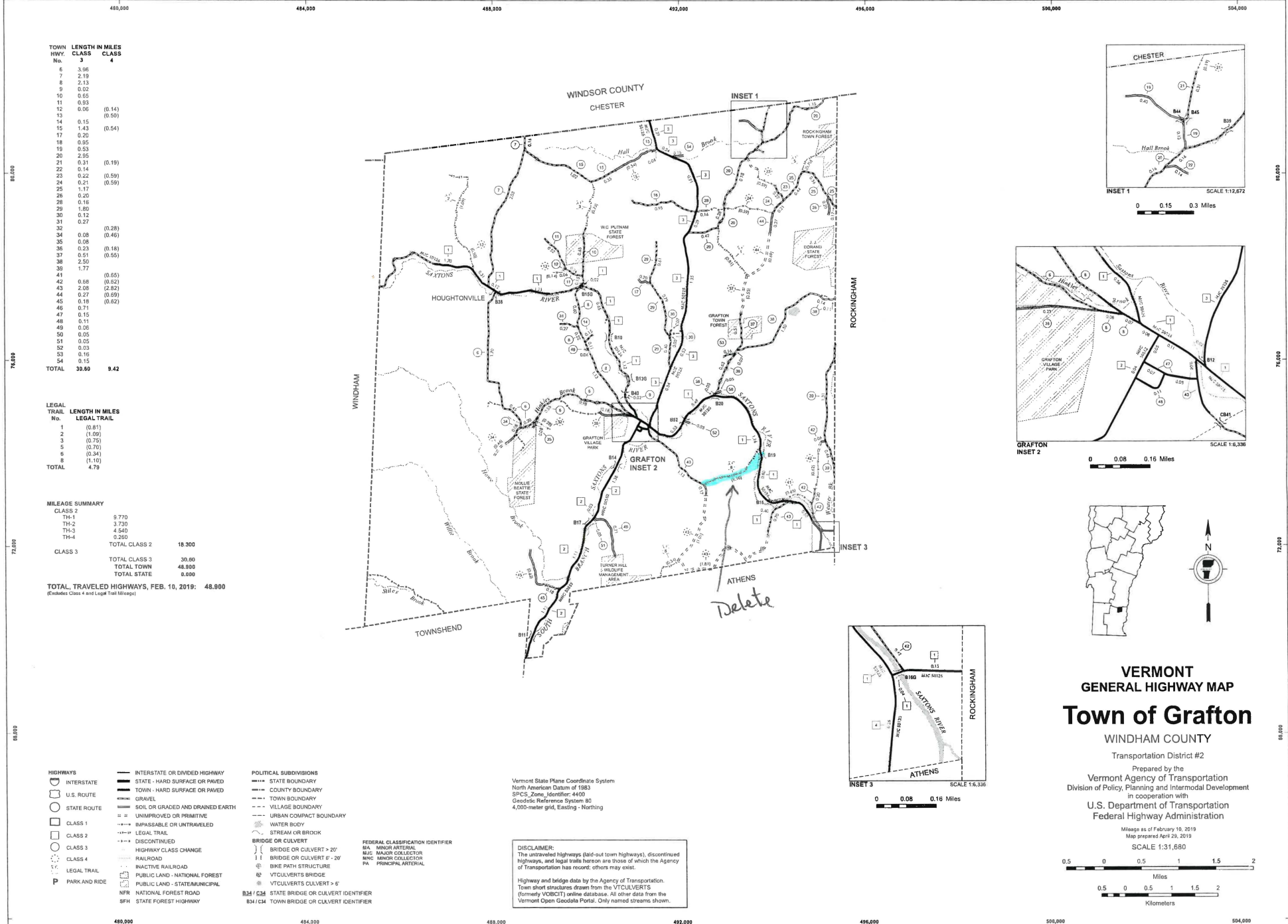
Members of the Grafton Selectboard:



Catherine A. Skarroll


Stan Mack


Christopher R. Wallace



TOWN HWY. No.	CLASS 3	CLASS 4	LENGTH IN MILES
6			3.96
7			2.19
8			2.13
9			0.02
10			0.65
11			0.93
12		(0.14)	0.06
13		(0.50)	
14			0.15
15		(0.54)	1.43
17			0.20
18			0.95
19			0.53
20			2.95
21		(0.19)	0.31
22			0.14
23		(0.59)	0.22
24		(0.59)	0.21
25			1.17
26			0.20
28			0.16
29			1.80
30			0.12
31			0.27
32		(0.28)	0.08
34		(0.46)	0.08
35			0.08
36		(0.18)	0.23
37		(0.55)	0.51
38			2.50
39			1.77
41		(0.55)	
42		(0.52)	0.88
43		(2.52)	2.08
44		(0.69)	0.27
45		(0.62)	0.18
46			0.71
47			0.15
48			0.11
49			0.05
50			0.05
51			0.05
52			0.03
53			0.16
54			0.15
TOTAL	30.60	9.42	

LEGAL TRAIL No.	LEGAL TRAIL	LENGTH IN MILES
1		(0.81)
2		(1.09)
3		(0.75)
5		(0.70)
6		(0.34)
8		(1.10)
TOTAL		4.78

CLASS 2	LENGTH IN MILES
TH-1	9.770
TH-2	3.730
TH-3	4.640
TH-4	0.260
TOTAL CLASS 2	18.300
TOTAL CLASS 3	30.60
TOTAL TOWN	48.900
TOTAL STATE	8.900

TOTAL TRAVELED HIGHWAYS, FEB. 10, 2019: 48.900
 (Excludes Class 4 and Legal Trail Mileage)

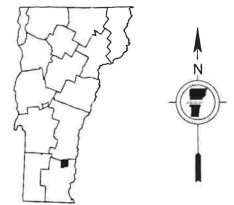
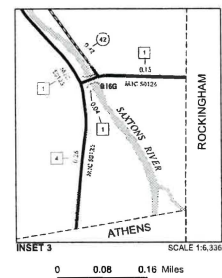
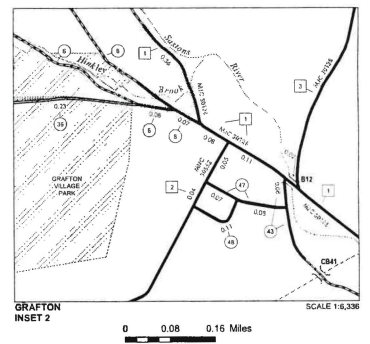
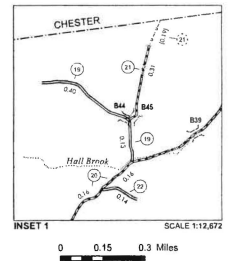
- HIGHWAYS**
 - INTERSTATE
 - U.S. ROUTE
 - STATE ROUTE
 - CLASS 1
 - CLASS 2
 - CLASS 3
 - CLASS 4
 - LEGAL TRAIL
 - PARK AND RIDE
- INTERSTATE OR DIVIDED HIGHWAY
- STATE - HARD SURFACE OR PAVED
- TOWN - HARD SURFACE OR PAVED
- TOWN BOUNDARY
- ORVEL
- SOIL OR GRADED AND DRAINED EARTH
- UNIMPROVED OR PRIMITIVE
- IMPASSABLE OR UNTRAVELED
- LEGAL TRAIL
- DISCONTINUED
- HIGHWAY CLASS CHANGE
- RAILROAD
- INACTIVE RAILROAD
- PUBLIC LAND - NATIONAL FOREST
- PUBLIC LAND - STATE/MUNICIPAL
- NATIONAL FOREST ROAD
- STATE FOREST HIGHWAY

- 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
 - VTCULVERTS BRIDGE
 - VTCULVERTS CULVERT 6'
 - STATE BRIDGE OR CULVERT IDENTIFIER
 - TOWN BRIDGE OR CULVERT IDENTIFIER

FEDERAL CLASSIFICATION IDENTIFIER
 MA MAJOR ARTERIAL
 MC MAJOR COLLECTOR
 MCX MINOR COLLECTOR
 PA PRINCIPAL ARTERIAL

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

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 Highway and bridge data by the Agency of Transportation.
 Town short structures drawn from the VTCULVERTS (formerly VQBCT) online database. All other data from the Vermont Open Geospatial Portal. Only named streams shown.



**VERMONT
 GENERAL HIGHWAY MAP
 Town of Grafton
 WINDHAM COUNTY**

Transportation District #2
 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 29, 2019
 SCALE 1:31,680
 0 0.5 1 1.5 2 Miles
 0 0.5 1 1.5 2 Kilometers

SELECTBOARD HEARING
September 16, 2019
CONCERNING THE DISCONTINUANCE OF LEGAL TRAIL 8
SITE VISIT
5:30 pm at the intersection LT 8 and Kidder Hill Road

Present were: Selectboard members: Joe Pollio, Stan Mack, Cathy Siano-Goodwin and Chris Wallace. Also present: Hayden Lake and Don Dougall (Grafton Improvement Association).

The Chair opened the visit at 5:30 PM. Discussion, including the fact that the discontinuance would be for Kidder Hill Road to Route 121 E, approx. 1.10 miles. This visit ended at 5:30 PM.

HEARING BY SELECTBOARD
6:00 pm @ Town Garage Meeting Room
220 Bell Road

The Chair called the hearing to order at 6:00 PM.

Selectboard members: Joe Pollio, Stan Mack, Cathy Siano-Goodwin and Chris Wallace. Absent and on vacation: Al Sands.

Others present: Joan Lake, Don Dougall, Amber Stevens (for self and VAST), Nancy and Hardy Merrill, Dottie Cannon, Liisa Kissel, Sam Battaglino, Suzanne Welsh, Galen Pinkham, Frances Alford, Mark Hansel, Patrick Cooperman, Christine Tattersall, Charlie Hooker, Carol Lind, Camilla Roberts and James Silas of Windham Hill Pinnacle Association, Jane Lazorchak of VT Fish and Wildlife, Anna Vesely, Eric Stevens, Danny Taylor (Highway), Kim Record (Clerk) and Bill Kearns (Town Administrator).

FACT 8 TV Matt Farkas

The Chair swore in the witnesses: Bill Kearns TA for the Town of Grafton. No one else asked to be sworn in.

The notice:

Notice published in Grafton News and sent to interested parties as required by law states, in pertinent part:

As permitted by Title 19 Vermont Statutes Annotated Section 708 (19 VSA §708) on June 3, 2019 the Selectboard of the Town of Grafton, Vermont initiated the process to discontinue all of LT8 as stated below. On Monday September 16, 2019 - 5:30 PM the Selectboard of the Town of Grafton, VT, will view the layout of the existing public right-of-way known as Legal Trail 8. Length of the portion subject to this discontinuance is mapped on the current VTrans Grafton Official Map is 1.10 miles and will be discontinued in its entirety. (Exhibit 1 and 3)

The Chair called on Bill Kearns to testify in the matter. Bill Kearns testified:

- **As to the law and compliance with the law:**
 - **19 VSA §708. Selectboard may initiate process.** Bill Kearns presented a copy of the minutes of June 3, 2019 Minutes in which the Selectboard by motion initiated the discontinuance of LT 8. (Exhibit 2) The Selectboard at the request of the landowner Hayden and Norah Lake initiated the process of discontinuance.
 - **19 VSA §709. Notice: 30 days to abutters of site visit and hearing send by certified mail, post copy of notice and publish notice 10 days before hearing and notice to Dept. of Forests, Parks and Recreation.** Bill Kearns presented the notice with proof of publication in Grafton News, certificate of mailing the Hayden and Norah Lake, written waiver of notice by certified mail by Grafton Improvement Association officers Don Dougall, Pat Mack and Nancy Merrill, written notice to and letter of response from Forest Parks and Recreation stating they would not be appearing at the hearing, which did not contain any objection. Hayden Lake Nancy Merrill and don Dougall were present at the

hearing. In addition, Bill Kearns presented a written statement from Michael M. Young waiving his notice and appearance provided all of the discontinued road ROW through his parcel per his subdivision note for Lot 3 went to his wife and him and acknowledging that the Lakes would have a ROW by law through his parcel. Proof of notice to the Planning Commission was also presented. (Exhibits 4, 5, 7 through 13)

- **19 VSA 775 discontinued right-of-way lands revert to owners of abutting lands:** Bill Kearns showed the Parcel Map of the area of LT 8 and pointed out that the discontinued highway right of way went through and the ROW land reverted to Grafton Improvement Association as to Parcel ID No. 009056, to Hayden Lake and Norah lake as to Parcel ID No. 009054, except for the one half where this ROW is shared with Danny Young, one half to Danny Young the owner of Lot 2 of the Danny Young Subdivision Parcel ID No. 009047.3, entirely per subdivision notes for Lot 3 to Michael M. and Lorrie Young owners of Lot 3 of the Danny Young subdivision Parcel ID No. 009047.4 (Exhibits 4 and 9)
- **19 VSA 717 maintenance of private right-of-way over Grafton Improvement Association lands, Danny Young land and Michael M. and Lorrie Young land for necessary access to Parcel ID No. 009054 and maintenance of the right-of-way.** Bill Kearns stated that by state law Hayden lake and Norah Lake retained a right of way over parcels 009056, 009047.4 and 009047.3 to their Parcel 009054 for access to and from and for maintenance of that right of way, citing 19 VSA 717. (Exhibits 4 and 9)
- **Discontinuance of a highway thought to have been laid out by the Selectboard and found in BK 1 (1B) page 150 and more precisely the discontinuance of the entirety (1.10 miles) of Legal Trail 8 as depicted on the Vermont General Highway Map, Town of Grafton, Prepared April 29, 2019.** Bill Kearns presented the 1825 layout description from Grafton Land Records BK 1 (B) page 150 and the layout on the Vermont General Highway map, Town of Grafton, Prepared April 29, 2019 of LT * and stated that this LT 8 was proposed to be discontinued in its entirety. Bill Kearns stated that the public good, necessity and convenience of the inhabitants of the municipality require that the highway be discontinued and requested that the Selectboard discontinue LT 8 as so describer in BK1(B) page 150 of the Grafton Land Records and as depicted on the said Map in its entirety from Kidder Hill Road to Route 121 E a distance of 1.10 miles. (Exhibits 3 and 6).

The landowners: representative of Grafton Improvement Association and Hayden Lake were present and offered no testimony, and no opposition to the discontinuance.

There were no other interested parties desiring to speak.

There being no further testimony, and no inquiries by the Selectboard, the Chair closed the Hearing.

The Chair asked the Selectboard whether it wanted to proceed to Findings and Decision or to go into deliberation at another time to make the findings and decision. The Selectboard after discussion indicated it wanted to proceed tonight.

The Chair then asked for finding of facts:

Motion by Stan Mack, second Chris Wallace to find:

- The Selectboard, at the request of the landowners, initiated these proceeding to discontinue the Legal Trail 8 from Kidder Hill Road to Route 121 East, a distance of 1.10 miles. 19 VSA §708.
- That all the notice requirements required by 19 VSA §709, including written notice to abutters Grafton Improvement Association and Hayden and Norah Lake, Michael M. and Lorrie Young, the Department of State Forest Parks and Recreation, publication and posting to the abutting landowners, named above and to the Grafton Planning Commission.
- All interested parties present, desiring to be heard, have been heard including Bill Kearns Town Administrator.

- All of Legal Trail 8 to be discontinued is 1.10 miles in length and is located on land belonging to Grafton Improvement Association, Hayden Lake and Norah Lake, Danny Young and Michael M. and Lorrie Young.
- The Tax ID Parcel Numbers of the parcels are Grafton Improvement Association Parcel ID No. 009056 and Lake Parcel Nos. 009054 and 009047.2, Danny Young Parcel ID No. 009047.3 and Michael M. and Lorrie Young Parcel ID No. 009047.4
- That the public good, necessity and convenience of the inhabitants of the municipality require that the highway be discontinued.
- That the discontinuance being upon the lands of the Grafton Improvement Association Parcel No. 009056 and Hayden and Norah Lake's Parcel Nos. 009054 and 009047.2, and Danny Young Parcel No. 009047.3 and Michael M. and Lorrie Young Parcel No. 009047.4, the lands of the discontinued right-of-way revert to the ownership of the abutters pursuant to 19 VSA 775, which states that the discontinued right-of-way "shall belong to the owners of adjoining lands" thus the Grafton Improvement Association shall own the right-of-way passing through its parcel and, likewise Norah and Hayden Lake shall own the right-of-way running through their parcels, and Danny Young shall own the right-of-way running through his parcel, and Michael M. and Lorrie Young shall own the right-of-way running through their parcel.
- That Hayden Lake and Norah Lake retain a private right-of-way over the former town highway, Legal Trail 8, for any necessary access to their Parcel No. 009054 from Kidder Hill Road across the Grafton Improvement Association Parcel No 009056, Danny Young Parcel No. 009047.3 and Michael M. and Lorrie Young Parcel No. 009047.4, and for the maintenance of the right-of-way, pursuant to 24 VSA 717(c), which states in part, "shall retain a private right-of-way over the former town highway...for any necessary access to the parcel of land ...and maintenance of his or her right-of-way."
- That this discontinuance is of the entirety (1.10 miles) of Legal Trail 8 as depicted on the Vermont General Highway Map, Town of Grafton, Prepared April 29, 2019 and of the Town Highway described in Grafton Land Records BK1 (B) at page 150.

The Chair asks for additional findings. None were presented. The Chair called for a vote on the Motion. Motion passed 4-0.

Decision of the Selectboard:

The Chair asks for a motion for a Decision.

Motion by Stan Mack, Cathy Siano-Goodwin second that: Having found that public good, necessity and convenience of the inhabitants of the municipality require that the highway be discontinued, the Selectboard hereby discontinues Legal Trail 8 from the easterly side of the Kidder Hill Road Right-of-Way a distance of 1.10 miles, that is, the entirety of the length of LT 8 from Kidder Hill Road to Route 121 East, as depicted on the Vermont General Highway Map, Town of Grafton, Prepared April 29, 2019, including all of the portion described in BK1 (1B) page 150 in the Grafton land Records, the discontinuance being upon the lands of the Grafton Improvement Association Parcel No. 009056, Hayden and Norah Lake Parcel Nos. 009054 and 009047.2, Danny Young Parcel No. 009047.3 and Michael M. and Lorrie Young Parcel No. 009047.4, the lands of the discontinued right-of-way revert to the ownership of the abutters pursuant to 19 VSA 775, which states that the discontinued right-of-way "shall belong to the owners of adjoining lands" thus the Grafton Improvement Association shall own the right-of-way passing through its parcel and likewise Norah and Hayden Like, Danny Young and Michael M. and Lorrie Young the right-of-way running through their parcels, and in addition Hayden Lake and Norah Lake retain a private right-of-way over the former town highway, Legal Trail 8, for any necessary access to their Parcel No. 009054 from Kidder Hill Road across the Grafton Improvement Association Parcel No 009056 and from Route 121 E across the land of Michael M. and Lorrie Young Parcel 009047,4 and Danny Young Parcel No. 009047.3 for the maintenance of the right-of-way, pursuant to 24 VSA 717(c), and this decision shall be recorded in the Records of the Town of Grafton

and properly indexed. This decision, when faithfully transcribed, shall be executed by all the members of the Selectboard, who were present at this hearing, and bear the date of this decision, that is, September 16, 2018.

The Chair asked for discussion or corrections, if any, on the motion. There was none. The chair called for a vote on the motion for the decision. The Motion passed 4-0.

Bill Kearns will prepare the written findings and decision for the signature of the Board Members using today's date, as set forth in the Motion.

The Hearing ended at 6:35 PM.

MINUTES
GRAFTON SELECTBOARD
Monday, September 16, 2019

6:35 PM: Meeting of the Grafton Selectboard:

The Chair called the meeting to order at 6:35 PM.

Selectboard Members present: Chair Joe Pollio, Stan Mack, Cathy Siano-Goodwin and Chris Wallace. Al Sands was absent on vacation.

Others present: Joan Lake, Don Dougall, Amber Stevens (for self and VAST), Nancy and Hardy Merrill, Dottie Cannon, Liisa Kissel, Sam Battaglini, Suzanne Welsh, Galen Pinkham, Frances Alford, Mark Hansel, Patrick Cooperman, Christine Tattersall, Charlie Hooker, Carol Lind, Camilla Roberts and James Silas of Windham Hill Pinnacle Association, Jane Lazorchak of VT Fish and Wildlife, Anna Vesely, Eric Stevens, Danny Taylor (Highway), Kim Record (Clerk) and Bill Kearns (Town Administrator).

FACT 8 TV Matt Farkas

Adopt Agenda. The Chair asked for a motion on the Agenda. Cathy Siano-Goodwin wished to add two items:

1. Comments from WRC on the Town Plan and October 17th Hearing on the Town Plan – the make-up of the Agenda. The Chair suggested that those be added as items 8A and 8B. Stan Mack moved the adoption of the Agenda as amended, second Chris Wallace. Motion passed 4-0.
2. Approve Minutes: September 2 and September 5, 2019. Stan Mack moved, second Cathy Siano-Goodwin to approve the minutes of September 2, 2019 as presented. Motion passed 3-0 with Chris Wallace abstaining. Stan Mack moved, second Cathy Siano-Goodwin to approve the minutes of September 5, 2019 as presented. Motion passed 3-0 with Chris Wallace abstaining.
3. Warrants, as signed, presented to Selectboard
4. Action on LT8 - Confirm the discontinuance of 0.3 of TH #35 per the decision made at the hearing. Motion by Chris Wallace, second Cathy Siano-Goodwin to adopt the Findings and Decision to discontinue LT8. Motion Passed 4-0.
5. Jane Lazorchak, Land Acquisition Coordinator, VT Fish and Wildlife Department. Also speaking Camilla Roberts of Windham Hill Pinnacle Association (WHPA) Grantor of the conservation easement to VT Fish and Wildlife (F&W). This is the former Goodrich property in southern Grafton and in Athens. This conservation easement is in mitigation of the Deerfield Wind project. There are 158 acres in all 94.5 in Grafton abutting Turner Hill property. Primary purpose is bear habitat conservation where F&W will study bears, in conjunction with the study at Deerfield Wind, protecting land and Birch tree mastings for the bears. The State F&W will administer the WHPA land. As per the easement, outdoor activities including VAST trail use will be preserved, and the area will be open for outdoor recreation. This land remains in private ownership with no change in taxes. So VAST can maintain trails and much of the land will be under forest management. All historic access to the land is maintained, including hunting. Amber Stevens asked about trail maintenance, and use, and

was told that will all be as it is now and preserved by the conservation easement. Camilla Roberts reiterated the hiking, VAST and pedestrian use of the land. Camilla Roberts stated the land is not in trust but rather under State management through a conservation easement. Bill Kearns asked the Chair if he could obtain a copy of the conservation easement so that he could peruse before sending the requested letter of support. Jane Lazorchak stated it would be sent the next day. MOTION by Stan Mack second Chris Wallace to sign the letter of support after the review of the Conservation Easement provisions. Motion passed 4-0.

6. Highway Report

- Discussion regarding retreatment surplus and what to do with it considering Art 21 of the March 6, 2018 Town Meeting. Need decision at Oct 7th meeting. Discussion as to the intent and the amount of money the SB wants to transfer into the Highway Retreatment separate account set up by the approval of Article 21. ["To establish a reserve fund to be called "The Highway Retreatment Fund" to be used for highway retreatment in accordance with 24 VSA 2804."*] There was discussion about mandatory amounts going into this fund or discretionary. Kim Record stated that Sullivan and Powers like the wording of the Article in that it left the amount to be put into the fund discretionary. Stan Mack stated he thought it should be all the funds received for retreatment that were not expended during the year, and discussion of this ensued including the danger of going into a deficit budget situation if all the retreatment money received was put into this Fund this year. Kim Record stated per the CPA, the surplus funds from highway had to remain highway funds, but could be put into Capital Budget items, Retreatment, or use to reduce any budget shortfalls, that is, any deficit. Danny Taylor stated whatever surplus in highway funds should go to retreatment but should not result in a deficit. Stan Mack and Joe Pollio agreed with Danny Taylor. More work would be done on this and consultation with Kim Record as Treasurer and Decision would be made at SB meeting on October 7th.

- Discussion regarding request for Road Safety Audit Report from VTrans for Cambridgeport Bridge / Rte. 35 intersection. Action to be taken, if decide to request audit. Discussion. MOTION by Stan Mack, second Chris Wallace that the Town request VTrans to do a Road Safety Audit on the intersection of the Cambridgeport Bridge and Rte. 121/35. Motion passed 4-0.

- Ongoing-work report: Hauling winter sand, Grading, Mowing, Work with Conservancy to clean up Danny young's property – Don Dougall: cash match is being provided by Grafton Improvement Association

7. Discussion of Selectboard Policies and Procedures. A copy of the procedures was present at the meeting. The Chair stated:

- Procedures were adopted February 19, 2018. Roberts Rules are not part of meeting procedures.
- The procedures apply to the Board. SB meetings are the Board's meeting held with the public present. SB meetings are not a Town meeting. The public can speak when recognized and they will be recognized as provided in the Rules of Procedure. The chair stated that he had been lenient with the Rules but will be less so in the future. When the public is allowed by the Rules to participate, the comments will be germane and material to the discussion, or not allowed.
- At a recent meeting a point of order was made, which was out of order because not made by a member of the Board and, in fact, was more discussion not a point of order. He said he has been lenient in the past but now will control the discussion per the Rules. The Board needs to help keep him and themselves in order per the Rules of Procedure.
- As for the Agenda: if you wish an item on the agenda call Bill Kearns with the item, remembering the Chair, by Rule has the discretion to include it or not.

8. Gravel Pit update; search for sites. Stan Mack reported that for the last few years we have been purchasing our sand and gravel, while previously we had our own pit. With that in mind the SB has been looking for pit property. Thus, he and Joe Pollio visited with Arol and Luann Ward, and viewed the land where the Ward's live. This was preliminary discussion but included permission from them to go ahead with our research including entering the land to look and surveying that portion of the land we would be interested in, if any. Bill Kearns and Danny Taylor will proceed to try to find out what is there and where. Kim Record is concerned that we put the matter in our budget. And the SB members agree.

8A Town Plan – WRC review. John Bennett has it and we were told two weeks or so to review. Bill Kearns will check. Liisa asked if the Report of the PC had been sent. Bill Kearns said no, because no report was ever delivered to the Selectboard as required under 24 VSA 4385.

8B Agenda for Oct 17 Hearing: Bill Kearns stated it would be simple, open the meeting, open discussion of the Town Plan for comment by the Public. We need a 4385 Report from the PC by the hearing date.

9. Public Comment.

- Liisa Kissel said there was a concern on the Planning Commission about a conflict. [Note: Planning commission has never raised this issue to the SB] Response by Chair: Checked with VLCT and there is no legal conflict and State Law, per VLCT, does not list the offices as incompatible. Ana Vesely further commented on the issue.
- Kim Record addressed the property tax bills. The blue bill is the next due and that payment is due October 15. The Chair stated he wanted Carolyn Partridge and Matt Thieber at the next meeting to address the issue from the legislature's point of view. Also asking Dave Clark to give an update on the state of the lawsuit.

10. Other Business - None

11. Date of Next Selectboard Meetings: October 7, 2019 at the Town Garage, 6 PM.

12. Adjourn. Motion by Stan Mack, second Chris Wallace to adjourn the meeting at 7:35 PM. Meeting adjourned.

Respectfully submitted,

William G. Kearns

*** § 2804. Reserve funds; use**

(a) At an annual or special meeting duly warned, a municipality may establish a reserve fund to be under the control and direction of the legislative branch of the municipality. The reserve fund shall be kept in a separate account and invested as are other public funds and may be expended for such purposes for which established, or when authorized by a majority of the voters present and voting at an annual or special meeting duly warned, for other purposes.

**Notice of Initiation of Discontinuance and
Notice of Visitation and Hearing before the Grafton, Vermont Selectboard
Concerning the Discontinuance of Legal Trail 8 (LT8) in its entirety
19 VSA §709**

**Viewing at site – intersection of Kidder Hill and LT8: Monday September 16, 2019 - 5:30 PM
Hearing in the Meeting Room at the Grafton Town Garage: Monday September 16, 2019 - 6:00 PM**
As permitted by Title 19 Vermont Statutes Annotated Section 708 (19 VSA §708) on June 3, 2019 the Selectboard of the Town of Grafton, Vermont initiated the process to discontinue all of LT8 as stated below. On Monday September 16, 2019 - 5:30 PM the Selectboard of the Town of Grafton, VT, will view the layout of the existing public right-of-way known as Legal Trail 8. Length of the portion subject to this discontinuance is mapped on the current VTrans Grafton Official Map is 1.10 miles and will be discontinued in its entirety. The Hearing on this matter will be on the same date at 6 PM in the Meeting Room at the Grafton Town Garage, 220 Bell Rd., in Grafton. For more Information contact Bill Kearns, Grafton Town Administrator at TownAdmin@graftonvt.org or 802 843-2552

Exh 1

5. Legal Trail 8. The chair stated that the foundation of the argument regarding this road was whether it is an "ancient road." He was corrected in the use of the term and it was suggested the correct term is "unidentified corridor." Actually, he was correct. An ancient road is one that is documented and approved by the Selectboard, but is unobservable and unused, that is, never actually laid out on the ground. Rooney Gibbs, who with Dibo DiBernardo, did the Ancient Road research, said "The road is there." The Kidder hill end is described and approved by Selectboard and on the ground. The rest of the road, he is certain, is set forth on a page in the old map box, but the reference on the Town's ancient road map is not correct, and he cannot now find the original. Thus, there is no approval in writing by the Selectboard of the road from the end of Town Farm Road at Thaddeus Taylor's house down to Route 121 E. The road we are then discussing is no longer the whole length, but just from Kidder Hill Rd to Thaddeus Taylor's house. Stan Mack asked The Lake's what it was they wanted out of this. Norah stated they agree that the road from Taylor's house to Route 121 E, so that would be moot, but the .2 of a mile from Kidder Hill across the GIA land to the Lake land and onto the location of the Taylor House, if it is a Town road, they want the Town to discontinue it. Eric Stevens spoke of a subdivision done for Jockell in which the portion of the right of way at the Route 121 end was identified as Town Farm Road. Bill Kearns asked to be heard on this issue. He explained that he wondered about that reference on the Jockell Subdivision which is recorded in the Grafton land Records. He asked DiBernardo to look at his surveyor notes and see if he noted where that "Town Farm Road" citation came from DiBernardo said he found no such notes. Bill stated he looked at the deeds going back. The Jockell to Tracey lake deed Vol 31 Page 217 and the Barnes to Jockell deed in Book 27 Page 336, as well as the deed from Tracy Lake to Hayden and Norah which has as part of the description the phrase "Town Farm Road." Bill stated that there is no basis for this reference to a road, except that in the Barnes deed to Jockell the Barnes reserved a right of way to themselves to cross the subject property from the route 121 side in order to access the Palmer Lot and the Town Farm Lot. There was no known road called Town Farm Road acknowledged by those deeds. Tracy Lake agreed there was in fact no such road. Bill Kearns stated on behalf of the Town he wanted to say the process took years, including a public meeting on the 4 LT's the Town wanted to keep, including this road and there was no complaint. There was a dispute over the "shortcut" road below Bill Brown's house, and inf fact VTrans did not accept the proof of that road and thus it is not on the map; and to apologize to the Lakes for mistakes made, none intentional, in the research. He stated the conclusion is there is not road from Thaddeus Taylor's house to Rte. 121 E, and that the only portion of the road approved by the Selectboard and laid out on the ground was from Kidder Hill Road to Thaddeus Taylor's house. At this point Stan Mack made the MOTION to start the procedure to throw the road up from kidder hill to Thaddeus Taylor house. Second by Cathy Siano-Goodwin. Al Sands opined that the GIA had believed the road went from Kidder to Route 121 E and thus wanted to retain the road, but retaining the road of .2 mile from Kidder Hill would not change anything in the ability of GIA to access Route 121 E without working with Hayden and Norah Lake. The Lakes stated they did not mind people accessing the old town farm site by foot, they wanted to keep the road private and wished the town to make this a private road. In a discontinuance hearing the Lakes would get the entire area of the road on its land, GIA the same and Lake would retain a ROW over the GIA land. The Chair called the question and the MOTION passed unanimously.
6. LT Signs. The discussion started by asking that the LT8 signs be removed from the Rte. 121 E end and then as to all LTs the question addressed was whether these LT's should be marked with road signage. Stan Mack made a motion, second by Josh Hearne, namely: Do not erect signs on LTs until that road is a Class IV road. There followed a discussion about the use of ATVs and their legal or illegal use on Trails and Class IV roads, and that the issue needs to be studied, decisions made, perhaps a policy on the use or no of ATVs and signage for LTs and perhaps Class IV roads reminding users of what is legal and illegal on those roads. Stan Mack made a motion to table his motion, second by Josh Hearne. Motion passed unanimously. Stan Mack made the motion to remove the LT8 sign from the Kidder Hill end of LT8 ASAP. Second by Al Sands. Motion passed unanimously.
7. Walker Bridge. In front of the Selectboard was correspondence to VTrans, provided to the Selectboard after the alternatives meeting, for use by the Selectboard to communicate to VTrans which alternative the Selectboard wanted VTrans to follow in continuing the scoping and planning for the Walker Bridge. After short discussion Stan Mack moved, second Al Sands for the Selectboard to choose Alternative 4b, that is, "Alt 4b: Full Replacement and Traffic

TOWN	LENGTH IN MILES	CLASS	CLASS
NO.	3	4	
6	3.36		
7	2.19		
8	2.12		
9	0.02		
10	0.65		
11	0.95		
12	0.06 (0.14)		
13			
14	0.15 (0.30)		
15	1.42 (0.34)		
17	0.20		
18	0.95		
19	0.55		
20	0.95		
21	0.21 (0.19)		
22	0.44 (0.39)		
23	0.22 (0.59)		
24	0.21 (0.59)		
25	1.17		
26	0.20		
28	0.16		
29	1.82		
30	0.17		
31			
32			
34	0.08 (0.29)		
35	0.08 (0.45)		
36	0.29 (0.18)		
37	0.51 (0.05)		
38	2.50		
39	1.17		
41			
42	0.58 (0.85)		
43	2.98 (1.82)		
44	0.27 (0.88)		
45	0.18 (0.52)		
46	0.71		
47	0.16		
48	0.11		
49	0.06		
50	0.05		
51	0.25		
52	0.63		
53	0.18		
54	0.15		
TOTAL	30.69	3.42	

LEGAL TRAIL	LENGTH IN MILES
No.	LEGAL TRAIL
1	0.81
2	1.98
3	0.75
5	0.78
6	0.14
8	0.11
TOTAL	4.73

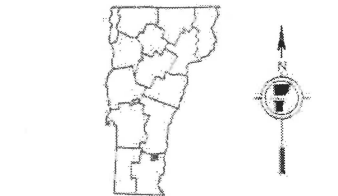
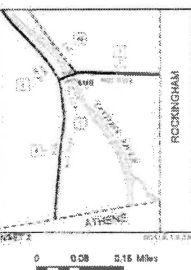
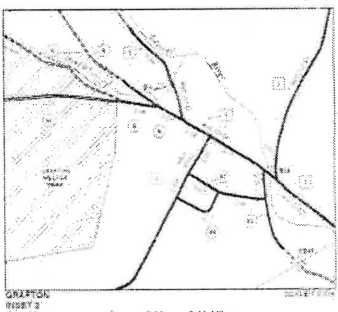
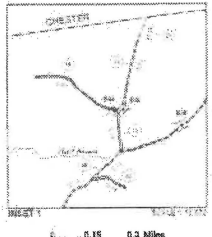
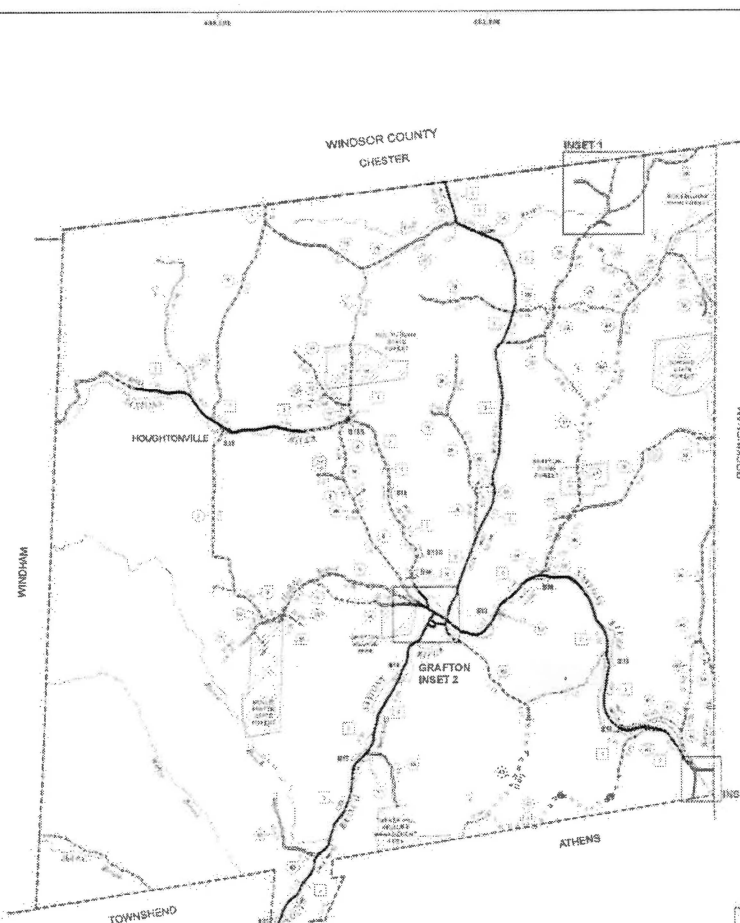
WILDSIDE SUMMARY	CLASS 2	CLASS 3	TOTAL CLASS 2	TOTAL CLASS 3	TOTAL STATE
T-61	0.770				
T-62	3.730				
T-63	4.540				
T-64	0.260				
TOTAL CLASS 2	9.300		14.720		
TOTAL CLASS 3		29.90		29.90	
TOTAL STATE				44.620	44.620
TOTAL STATE				44.620	44.620

TOTAL TRAVELLED HIGHWAYS, FEB. 10, 2019: 48,968

- INTERSTATE
- U.S. ROUTE
- STATE ROUTE
- CLASS 1
- CLASS 2
- CLASS 3
- CLASS 4
- CLASS 4
- LEGAL TRAIL
- PAVED SIDEWALK
- UNPAVED SIDEWALK
- NATIONAL FOREST ROAD
- STATE FOREST HIGHWAY
- WATERWAY ON GRANTED HIGHWAY
- STATE-MAINTAINED SIDEWALK
- UNPAVED SIDEWALK ON PAVED
- GRAVEL
- SOIL OR GRADES AND DRAINED EARTH
- UNIMPROVED OR PRIVATE
- IMPASSIBLE OR UNTRAVELED
- LEGAL TRAIL
- CRACKED SURFACE
- UNPAVED SIDEWALK
- PAVED SIDEWALK
- PAVED SIDEWALK ON PAVED
- UNPAVED SIDEWALK ON PAVED
- NATIONAL FOREST ROAD
- STATE FOREST HIGHWAY
- WATERWAY ON GRANTED HIGHWAY
- STATE-MAINTAINED SIDEWALK
- UNPAVED SIDEWALK
- UNPAVED SIDEWALK ON PAVED
- GRAVEL
- SOIL OR GRADES AND DRAINED EARTH
- UNIMPROVED OR PRIVATE
- IMPASSIBLE OR UNTRAVELED
- LEGAL TRAIL
- CRACKED SURFACE
- UNPAVED SIDEWALK
- PAVED SIDEWALK
- PAVED SIDEWALK ON PAVED
- UNPAVED SIDEWALK ON PAVED
- NATIONAL FOREST ROAD
- STATE FOREST HIGHWAY

- WATER BODY
- STREAM OR BROOK
- WATERWAY ON GRANTED HIGHWAY
- STATE-MAINTAINED SIDEWALK
- UNPAVED SIDEWALK ON PAVED
- GRAVEL
- SOIL OR GRADES AND DRAINED EARTH
- UNIMPROVED OR PRIVATE
- IMPASSIBLE OR UNTRAVELED
- LEGAL TRAIL
- CRACKED SURFACE
- UNPAVED SIDEWALK
- PAVED SIDEWALK
- PAVED SIDEWALK ON PAVED
- UNPAVED SIDEWALK ON PAVED
- NATIONAL FOREST ROAD
- STATE FOREST HIGHWAY

- VERMONT STATE PLANE COORDINATE SYSTEM
- North American Datum of 1983
- SPCS Zone 18 North
- Geoidetic Reference System 80
- 4 000-meter grid, Easting-Northing
- VERMONT CLASSIFICATION IDENTIFIER
- MA - MAJOR ARTERIAL
- MAJ - MAJOR COLLECTOR
- MIN - MINOR COLLECTOR
- PA - PRINCIPAL ARTERIAL
- DISCLAIMER
- The unimproved highways (bar-out town highways) discontinued highways, and legal trails shown are those of which the Agency of Transportation has records; others may exist.
- Highway and bridge data by the Agency of Transportation town short procedure shown from the VT CULVERTS (formerly VDOT) online database. All other data from the Vermont Open Geographic Portal. Only named streams shown.



VERMONT GENERAL HIGHWAY MAP
Town of Grafton
 WINDHAM COUNTY
 Transportation District #2
 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
 (Map as of February 10, 2019)
 Map created on 02/10/2019
 SCALE 1:31,580

Exh 3

HAM FOUNDATION
78.0 AS

65.9 AS



9-47
CARTA
7.08 AS

9-47.3
YOUNG
22.6 AS

9-7.1
HART
10.6 AS

9-52
MILLS
5.1 AS

9-53
GOLDE
13.4 AS

9-54
LAKE H & N
179.0 AC
191.1 AC

9-47.2
80.1 AS

9-50
GOLDE
13.4 AC

9-58
LAKE T.
51.3 AC

9-57
BROWN
46.0 AC

9-69
MUELRATH
10.0 AC

9-69.1
LORD
19 AC

9-70
MCDERMOTT
92.5 AC

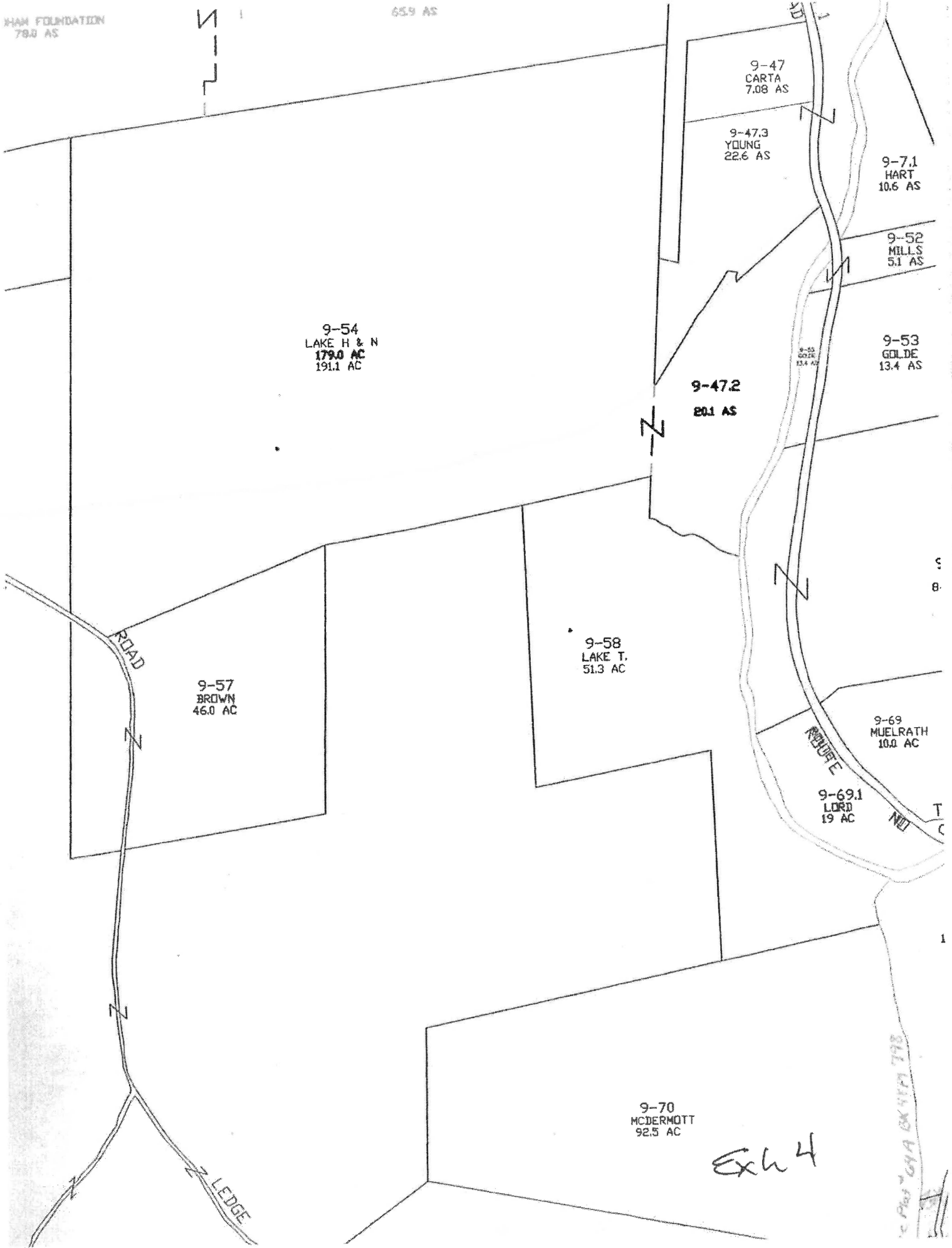
EX 4

ROAD

ROUTE

LEDGE

Plat 64A BK 417 798



Grafton News

P.O. Box 93, Grafton, VT 05146

Official Notice

Notice of Initiation of Discontinuance and Notice of Visitation and Hearing before the Grafton, Vermont Selectboard Concerning the Discontinuance of Legal Trail 8 (LT8) in its entirety, 19 VSA §709

Viewing at site: intersection of Kidder Hill and LT8: Monday September 16, 2019, 5:30 pm.

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Photo: Robin Sten

New Town Plan Hearing Date is October 17

After originally setting the next Town Plan public hearing for August 8, at its August 5th meeting, the select board decided to recess that hearing to October 17 because the school meeting space wasn't available on August 8. According to the minutes of that brief August 8th hearing with two select board members in attendance, "town residents complained about there not being enough room in the meeting room" at the town garage to hold the hearing.

At its August 19th meeting, the board took up the matter of a petition presented to the board on July 1, which asks "Shall the voters of Grafton adopt or amend municipal plans by Australian ballot?" The board had 60 days to name a Special Town Meeting date and voted on August 19 to set it for November 14 at 6 pm at the Grafton School. Currently, Grafton's process for adopting town plans is that the select board gives final approval after conducting public hearings.

According to 24 V.S.A. § 4385, "A plan of a municipality or an amendment thereof shall be adopted by a majority of the members of its legislative body [select board] at a meeting which is held after the final public hearing. If, however, at a regular or special meeting of the voters duly warned and held as provided in 17 V.S.A. chapter 55, a municipality elects to adopt or amend municipal plans by Australian ballot, that procedure shall then apply unless rescinded by the voters at a regular or special meeting similarly warned and held. If the proposed plan or amendment is not adopted so as to take effect within one year after the date of the final hearing of the planning commission, it shall be considered rejected by the municipality. Plans and amendments shall be effective upon adoption."

The board opened bids at its August 19th meeting for Turner Hill Road shoulder repair, culvert replacement, ditching and stone-lining. The bid was awarded to the low bid of \$14,995 from P & L Trucking of Chester. Excavator bids were also opened with two bids provided (Nortrax and Milton CAT). After discussion, road foreman Danny Taylor will review the bids and make a recommendation to the board.

(continued on page 7)

Deadline for the October 2019 issue: September 24.

ese Company team, from left to right: Sisti-Baum, Mid-Atlantic Sales Manager;

and Winning Awards

According to GVCC CEO Ruth Fiore, Grafton enters several judging competitions annually. Typically judging teams consist of a technical and aesthetic judge. Beyond the thrill of winning an award, GVCC takes pride in judging team notes and scores to understand where each cheese excels and where each cheese falls short. The cheeses entered in the International Cheese Awards were all produced and aged at the Grafton facility. There are four "caves" at control temperature and humidity. Those include the Traditional Clothbound Cheddar & Reserve (cow's milk), Shepsog (cow & sheep milk blend), Bear Hill (sheep's milk). For the American Cheese Society competition, GVCC entered its block cheddars (one-year, two-year, flavored) produced in the Brattleboro facility as well as the cave-aged cheeses produced in Grafton. GVCC's sheep's milk comes from an Amish Coop in Fultonville, NY (pop. 778). GVCC currently buys milk from 11 farms and is excited to be able to increase the local cow's milk production as cheese production

(continued on page 7)

Chester Pancake Breakfast is September 21

Get an early start on Chester's Fall Festival or take a delicious break amid shopping or sightseeing by enjoying a Pancake Breakfast —served 8:30-10:30 am on Saturday, September 21 at St. Luke's Church near the Village Green in Chester. The fast menu features homemade pancakes, sausage, toppings, real maple syrup, juice, and hot beverages with continuous table seating on the lawn of the church on Main Street.

If weather is rainy, breakfast will be inside Willard Hall, located at the rear of the church and down the outside stairs by the back garden. Cost is \$5 per plate, but is free for children age 4 and under. No reservations are necessary, just come and enjoy good food at Chester's famous Fall Festival.

—Lillian Willis

Fully Insured	Free Estimates
JAMIE GREGORY	
TRUCKING & EXCAVATING LLC	
COMPLETE HOUSE SITE PREPARATION • PONDS • ROADS SEPTIC SYSTEMS • LAND CLEARING • SNOWPLOWING & SANDING	
P.O. Box 84 Grafton, VT 05146 jgregoryte@vermontel.net	Ph: 802-843-1024 Cell: 802-376-6459 Fax: 802-843-1025

exh 5

Nathan Wheeler and John Palmer "Selectmen" on July 14, 1825, as attested to by Art Spring, Town Clerk and recorded in the Grafton Town Records in BK1 (1B) page 150:

150

Survey of a road.

Commencing at Thaddeus Taylor's house thence

Running twenty rods to the southwest Thence

due west seventy rods to the intersection of roads

by Timothy Walker's, that leads to Athens.

Nathan Wheeler) Select-

John Palmer) men

The foregoing is a true copy of the original
received for ^{record} July 14th AD 1825.

Attest Art Spring, Town Clerk

Exh 6

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee
 \$ 3.50

Extra Services & Fees (check box; add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

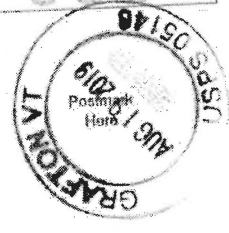
Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
 \$.55

Total Postage and Fees
 \$ 2.80



Sent to
NEPAH LAKE & HAYDEN LAKE

Street and Apt. No., or PO Box No.
25 TAVERN RD

City, State, ZIP+4®
PUTNEY, VT 05346

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

initiation of Discontinuance and
 arising before the Grafton, Vermont Selectboard
 discontinuance of Legal Trail 8 (LT8) in its entirety
 19 VSA §709

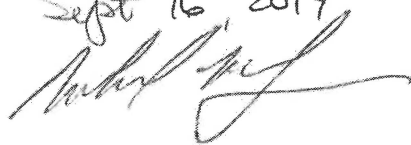
and LT8: Monday September 16, 2019 - 5:30 PM
 on Town Garage: Monday September 16, 2019 - 6:00 PM
 Annotated Section 708 (19 VSA §708) on June 3, 2019 the
 town initiated the process to discontinue all of LT8 as stated
 at 3:30 PM the Selectboard of the Town of Grafton, VT, will
 discontinue of-way known as Legal Trail 8. Length of the portion
 shown on the current VTtrans Grafton Official Map is 1.10 miles

and will be discontinued in its entirety. The Hearing on this matter will be on the same date at 6
 PM in the Meeting Room at the Grafton Town Garage, 220 Bell Rd., in Grafton. For more
 information contact Bill Kearns, Grafton Town Administrator at TownAdmin@graftonvt.org or 802
 843-2552

7015 0640 0000 0490 5101

Exh 7

Township it may concern —
On condition that the below is the outcome
I waive the notice of this hearing
Provided the entire Road is my property
as shown on the other side of this sheet
and I understand Lot 2 has a
ROW
and I understand the Lakes have
a ROW by law over the former town
highway Right-of-Way

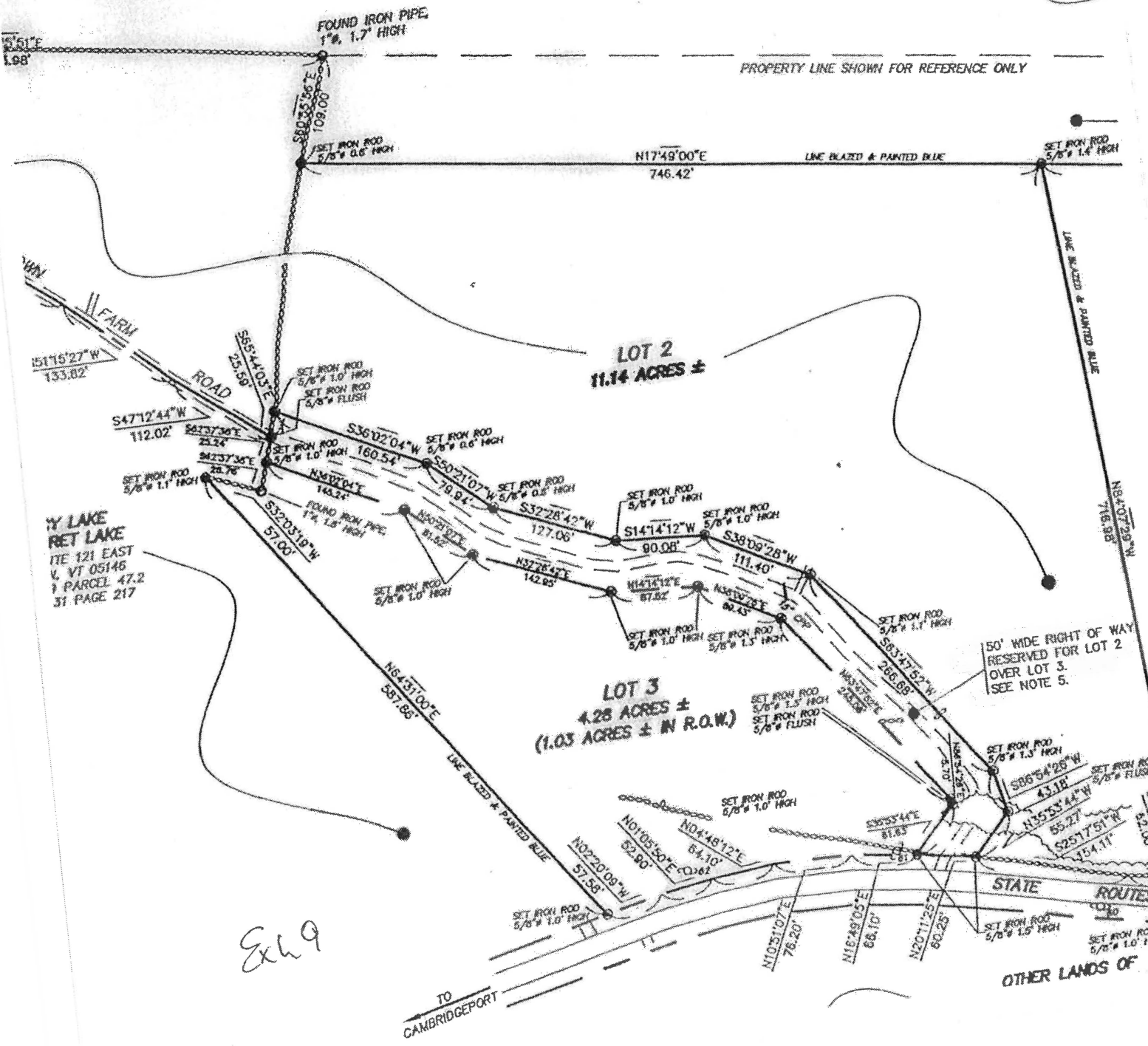
Sept 16, 2019


MICHAEL M. YOUNG

Exh 8

town of Grafton records - Survey 700

TRACY LAKE
MARGARET LAKE
2284 ROUTE 121 EAST
GRAFTON, VT 05146
TAX MAP 9 PARCEL 54
VOLUME 41 PAGE 49



Ex 69

50' WIDE RIGHT OF WAY
RESERVED FOR LOT 2
OVER LOT 3.
SEE NOTE 5.

OTHER LANDS OF

TO
CAMBRIDGEPORT

TRACY LAKE
MARGARET LAKE
2284 ROUTE 121 EAST
GRAFTON, VT 05146
TAX MAP 9 PARCEL 54
VOLUME 41 PAGE 49

FARM
ROAD

STATE ROUTES

Grafton Administrator

Subject: FW: Legal Trail 8 Discontinuance in Grafton

From: Morton, Tim <Tim.Morton@vermont.gov>
Sent: Thursday, August 8, 2019 12:58 PM
To: Grafton Administrator <townadmin@graftonvt.org>
Subject: RE: Legal Trail 8 Discontinuance in Grafton

I'll get it logged in on our end today through Niels Rinehart in Montpelier. Usually we check to make certain no public trail or access to public land is lost, with special focus on snowmobile trails. Rick White will be the one to check in with Roon Gibbs.

Tim

From: Grafton Administrator <townadmin@graftonvt.org>
Sent: Thursday, August 8, 2019 10:41 AM
To: Morton, Tim <Tim.Morton@vermont.gov>
Subject: Legal Trail 8 Discontinuance in Grafton

SKL 10
Tim, I have attached a notice for discontinuance of LT 8 and a outline of discontinuance procedure, including a cite to 19 VSA 775 which requires the Selectboard to notify Forest, Parks and Recreation. Can you assist with this notification and direct me to the person who should receive this. Further, will an email suffice for the Department?

LT8 was a mistake. See minutes page two #5 attached, which contains a brief explanation of how it happened.

Thanks, Tim. Hope all is well.

Bill

William G. Kearns, JD
Grafton Town Administrator
Grafton Town Hall
117 Main Street

State of Vermont
Department of Forests, Parks & Recreation
Lands Administration and Recreation Division
1 National Life Drive, Davis 2
Montpelier, VT 05620-3801
<http://fpr.vermont.gov>

Agency of Natural Resources

August 21, 2019

Town of Grafton Selectboard
c/o Kimberly Wood, Town Clerk
P.O Box 180
Grafton, VT 05146

Re: Discontinuance of Legal Trail 8 (LT8)

Dear Board Members,

On August 8, 2019, The Department of Forests, Parks & Recreation (FPR) received the petition to reclassify Legal Trail 8 in its entirety. Per 19 V.S.A. §775, municipalities must notify the Commissioner of FPR when a petition to discontinue a highway is filed. It is the policy of FPR to encourage municipalities to keep highways as public rights-of-way for emergency, recreational, forestry, agricultural, and other purposes. These roads provide numerous benefits, including:

- Access to year-round and part-time residence and camps;
- Access to agricultural fields, forests, and sugaring operations;
- Access to state-owned parcels for recreational opportunities, for hunting and fishing, forest management and other forest products;
- Recreational access for activities like hiking, mountain biking, cross country skiing, horseback riding, and ATV and 4-wheel use

FPR's Lands Administration staff and District staff in our Springfield office have reviewed the petition and have no comments. In addition, FPR has informed our recreational partners of this petition (per our policy) so they may have the opportunity to provide comment. FPR staff will not be participating in the public hearing and site visit occurring on September 16, 2019. We respectfully ask that this letter be recorded as part of the official proceedings on this matter. Thank you for the opportunity to comment.

Sincerely,



Rebecca Washburn
Director, Lands Administration and Recreation Division

Exh 11



Grafton Administrator

Subject: FW: Discontinuance of LT 8

From: djadougall <djadougall@vermontel.net>

Sent: Friday, August 9, 2019 8:03 AM

To: Grafton Administrator <townadmin@graftonvt.org>

Cc: Nancy Merrill <hmerrill@vermontel.net>; Grafton Listers <Listers@graftonvt.org>; Pat Mack <knickknack@vermontel.net>

Subject: Re: Discontinuance of LT 8

On 2019-08-08 10:30, Grafton Administrator wrote:

Please see attached.

I would appreciate if I hear from each of you a statement that you do not require me to send this notice to GIA in care of you by certified letter. Thanks.

Bill

William G. Kearns, JD

Grafton Town Administrator

Grafton Town Hall

117 Main Street

PO Box 180

Grafton, VT 05146

802 - 843- 2552

Fax 802 843 6100

www.graftonvt.org

Bill, I see no need to send it Certified as long as the documentation is in order.

5/6 12

Grafton Administrator

From: Pat Mack <knickknack@vermontel.net>
Sent: Friday, August 9, 2019 3:03 PM
To: 'Merrill'; Grafton Administrator
Cc: 'Don Dougall'
Subject: RE: Discontinuance of LT 8

Hi Bill, The GIA does not require this notice to be officially sent by certified mail.
Consider this received and in our records. Pat Mack

From: Merrill [mailto:hmerrill@vermontel.net]
Sent: Friday, August 9, 2019 12:45 PM
To: Grafton Administrator
Cc: Don Dougall; Pat Mack
Subject: Re: Discontinuance of LT 8

Hi Bill,
GIA does not need the letter sent by certified mail.
We have printed it out and will keep it in our records.
Thanks,
Nancy

Sent from my iPad

Ex 13

From: djadougall [mailto:djadougall@vermontel.net]
Sent: Friday, August 9, 2019 7:58 AM
To: Merrill
Cc: Pat Mack
Subject: Re: Fwd: Discontinuance of LT 8