

District (2), 3, 4

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2014

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2014 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of CAVENDISH in WINDSOR 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.

Table with 6 columns: Town Highways, Previous Mileage, Added Mileage, Subtracted Mileage, Total, Scenic Highways. Rows include Class 1, Class 2, Class 3, State Highway, Total, and various other categories like Class 1 Lane, Class 4, Legal Trail, and Unidentified Corridor.

\* Mileage for Class 1 Lane, Class 4, Legal Trail, and Unidentified Corridor classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening". +0.04 mi CL3 TH-26 Chubb Hill Rd due to realignment
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting). -0.10 mi CL3 TH-26 Chubb Hill due to realignment
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 of selectmen/aldermen/trustees.

T/C/V Clerk Signature:

Handwritten signature of T/C/V Clerk: Diane M. McNamara

Date Filed: FEBRUARY 10, 2014

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL:

Signed copy will be returned to T/C/V Clerk.

APPROVED:

Representative, Agency of Transportation

Johnathan Croff

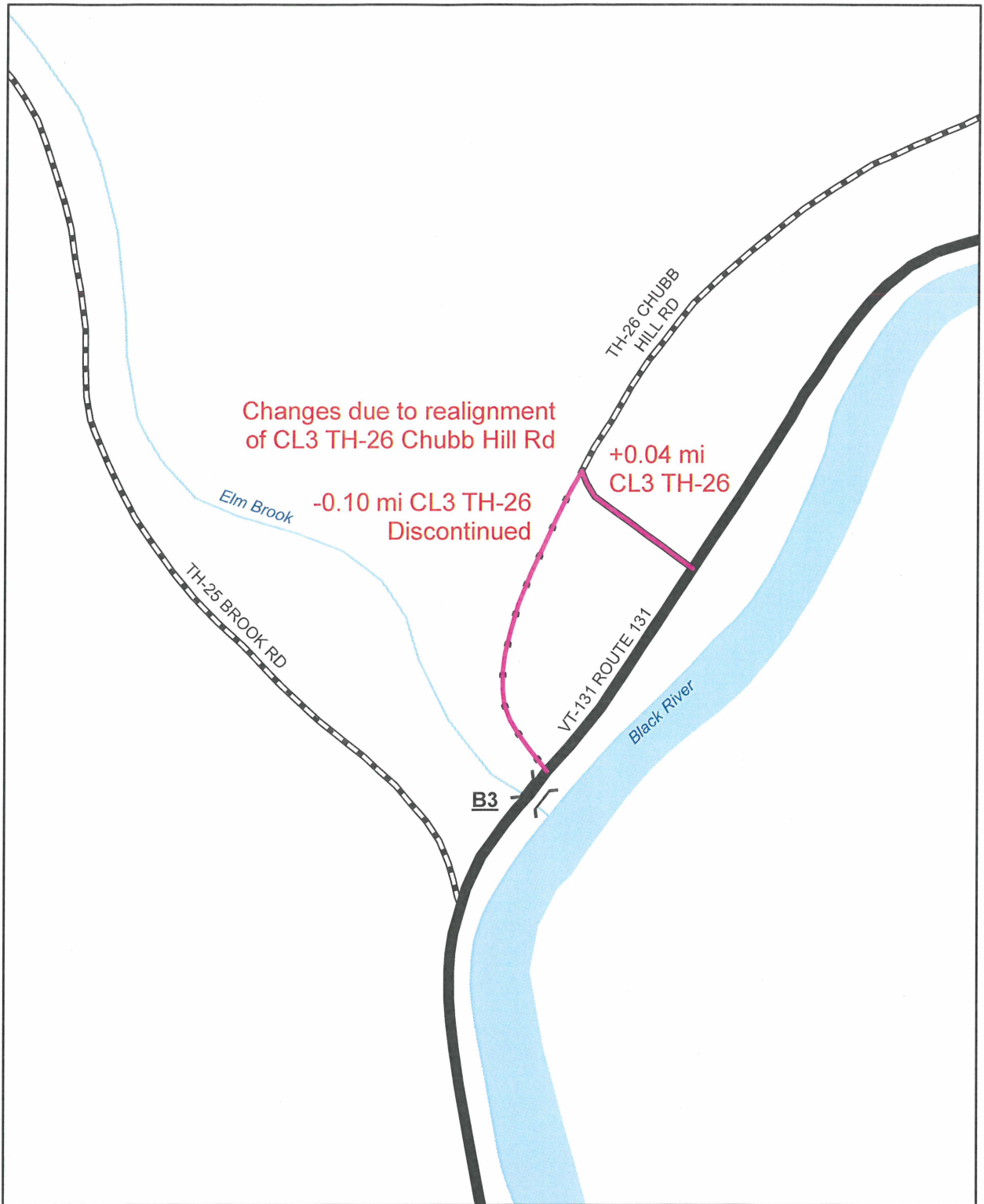
DATE:

5/29/2014

Received

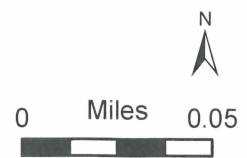
FEB 18 2014

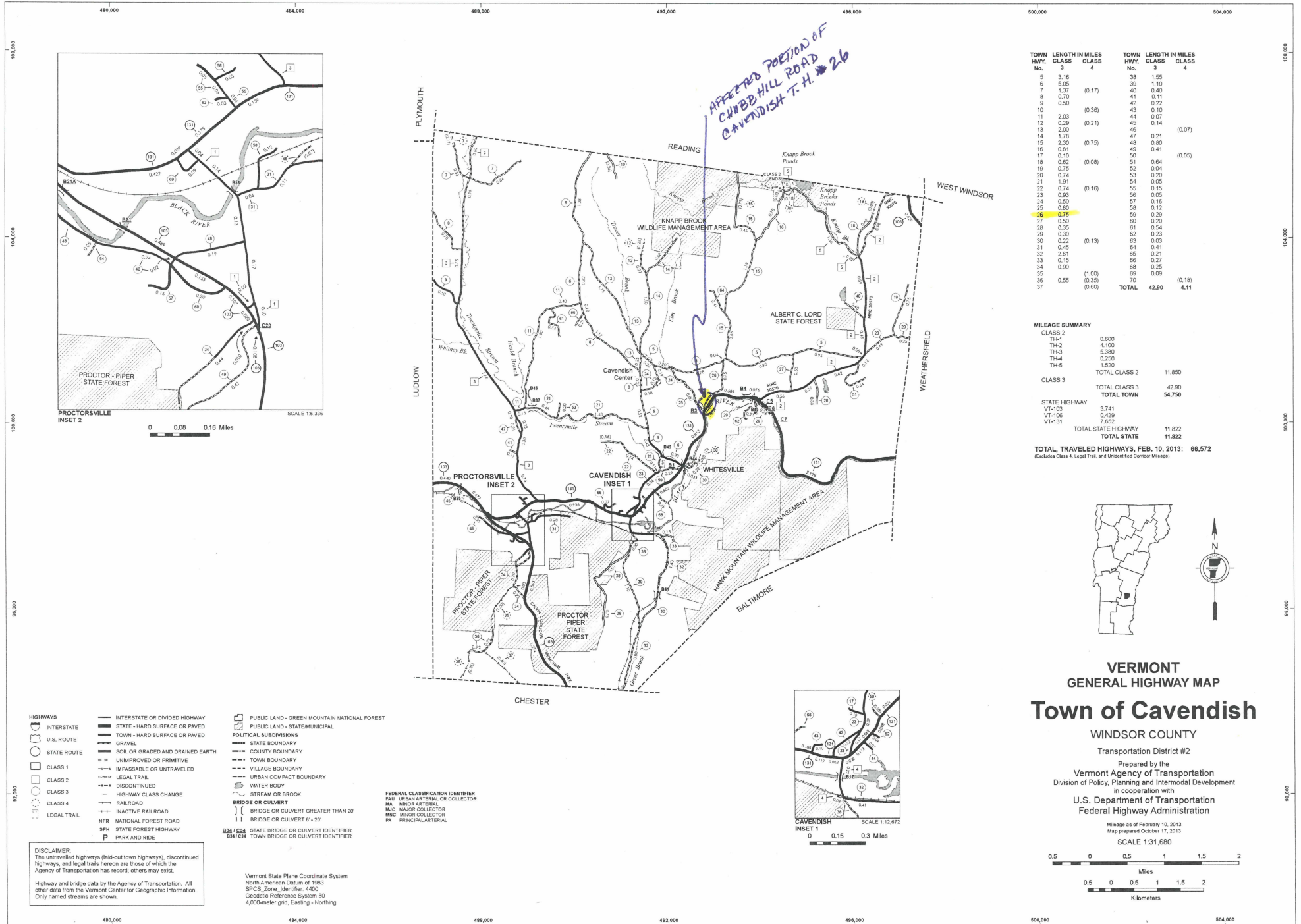
Policy, Planning & Intermodal  
Development Division



**Mileage Certificate Change 2014  
CAVENDISH**

Mapping Unit  
 Division of Policy and Planning  
 Vermont Agency of Transportation - March 2014





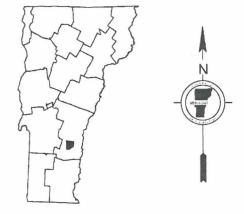
AFFECTED PORTION OF  
CAMPBELL HILL ROAD  
CAVENDISH T.H. 26

TOWN HWY. No.	CLASS 3	CLASS 4	LENGTH IN MILES	TOWN HWY. No.	CLASS 3	CLASS 4	LENGTH IN MILES
5	3.16			38	1.55		
6	5.05			39	1.10		
7	1.37	(0.17)		40	0.40		
8	0.70			41	0.11		
9	0.50			42	0.22		
10		(0.36)		43	0.10		
11	2.03			44	0.07		
12	0.29	(0.21)		45	0.14		(0.07)
13	2.00			46			
14	1.78			47	0.21		
15	2.30	(0.75)		48	0.80		
16	0.81			49	0.41		
17	0.10			50			(0.05)
18	0.62	(0.08)		51	0.64		
19	0.75			52	0.04		
20	0.74			53	0.20		
21	1.91			54	0.05		
22	0.74	(0.16)		55	0.15		
23	0.93			56	0.05		
24	0.50			57	0.16		
25	0.60			58	0.12		
26	0.75			59	0.29		
27	0.50			60	0.20		
28	0.35			61	0.54		
29	0.30			62	0.23		
30	0.22	(0.13)		63	0.03		
31	0.45			64	0.41		
32	2.61			65	0.21		
33	0.15			66	0.27		
34	0.90			68	0.25		
35		(1.00)		69	0.09		
36	0.55	(0.35)		70			(0.19)
37		(0.60)					
			<b>TOTAL</b>	<b>42.90</b>			<b>4.11</b>

**MILEAGE SUMMARY**

CLASS	TH-1	TH-2	TH-3	TH-4	TH-5	TOTAL CLASS	TOTAL TOWN
CLASS 2	0.600	4.100	5.360	0.250	1.520	11.850	11.850
CLASS 3	3.741	0.429	7.652			11.822	42.900
STATE HIGHWAY							11.822
VT-103							
VT-106							
VT-131							
TOTAL STATE HIGHWAY							11.822
TOTAL STATE							54.750

TOTAL TRAVELED HIGHWAYS, FEB. 10, 2013: 66,572  
(Excludes Class 4, Legal Trail, and Undefined Corridor Mileage)



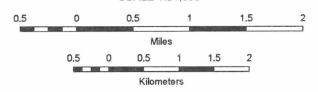
VERMONT  
GENERAL HIGHWAY MAP

Town of Cavendish

WINDSOR 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, 2013  
Map prepared October 17, 2013  
SCALE 1:31,680



- HIGHWAYS**
- INTERSTATE OR DIVIDED HIGHWAY
  - INTERSTATE
  - U.S. ROUTE
  - STATE ROUTE
  - CLASS 1
  - CLASS 2
  - CLASS 3
  - CLASS 4
  - LEGAL TRAIL
  - DISCONTINUED
  - HIGHWAY CLASS CHANGE
  - RAILROAD
  - INACTIVE RAILROAD
  - NFR NATIONAL FOREST ROAD
  - SFH STATE FOREST HIGHWAY
  - P PARK AND RIDE
- POLITICAL SUBDIVISIONS**
- STATE BOUNDARY
  - COUNTY BOUNDARY
  - TOWN BOUNDARY
  - VILLAGE BOUNDARY
  - URBAN COMPACT BOUNDARY
  - WATER BODY
  - STREAM OR BROOK
  - BRIDGE OR CULVERT
  - BRIDGE OR CULVERT GREATER THAN 20'
  - BRIDGE OR CULVERT 6' - 20'
  - STATE BRIDGE OR CULVERT IDENTIFIER
  - TOWN BRIDGE OR CULVERT IDENTIFIER
- FEDERAL CLASSIFICATION IDENTIFIER**
- PAV URBAN ARTERIAL OR COLLECTOR
  - MA MINOR ARTERIAL
  - MCJ MAJOR COLLECTOR
  - MNC MINOR COLLECTOR
  - PA PRINCIPAL ARTERIAL

**DISCLAIMER:**  
The untraveled highways (bid-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. All other data from the Vermont Center for Geographic Information. Only named streams are shown.

Vermont State Plane Coordinate System  
North American Datum of 1983  
SPCS\_Zone\_Identifier: 4400  
Geoid Reference System 80  
4,000-meter grid, Easting - Northing

# QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that ,

**THE TOWN OF CAVENDISH**

**GRANTOR,**

in the consideration of One Dollar and Other Good and Valuable Consideration paid to its satisfaction by

**DON P. DAVIS and PATRICIA O. DAVIS**  
*Husband and wife, tenants by the entirety,*

of Cavendish in the County of Windsor and State of Vermont,

**GRANTEES,**

have REMISED, RELEASED, AND FOREVER QUITCLAIMED unto the said

**DON P. DAVIS and PATRICIA O. DAVIS**  
*Husband and wife, tenants by the entirety,*

and their heirs, executors, administrators, and assigns, all right and title which

**THE TOWN OF CAVENDISH**

or its heirs have in and to a certain piece of land in Cavendish, in the County of Windsor and State of Vermont, described as follows, viz:

Consistent with V.S.A. Title 19, Chapter 7, and discontinuance proceedings of the Selectboard of The Town of Cavendish following notice, hearing, survey and selectmen's return, a portion of the so-called Chubb Hill Road has been discontinued and is conveyed herein by the Town of Cavendish to the only adjacent property owners, Don P. Davis and Patricia O. Davis, their heirs and assigns, described as a certain area of the former Chubb Hill Road, discontinued consistent with the aforementioned statute and proceedings. The area of discontinued road

conveyed to the herein grantees, their heirs and assigns is more specifically described as follows;

Beginning at an unmarked boundary point in the northerly limits of Vermont Route 131 so-called, which point marks the southeasterly corner of the herein conveyed premises;

Thence continuing along the northerly right of way limit of Vermont Route 131 S 57° 24' 38" W a distance of 49.62 feet to a Vermont Highway Department Project Marker in the northerly right of way limit of Vermont Route 131, which point marks the southwesterly corner of the herein conveyed premises;

Thence N 28° 32' 52" W a distance of 43.92 feet to an unmarked boundary point;

Thence N 04° 42' 24" E, 178.83 feet along a curve with a radius of 183.32 feet and a length of 186.81 feet to an unmarked boundary point;

Thence N 32° 08' 26" E a distance of 82.11 feet to an unmarked boundary point;

Thence N 36° 51' 57" E a distance of 99.76 feet to an unmarked boundary point;

Thence N 43° 26' 15" E a distance of 46.85 feet to an unmarked boundary point;

Thence N 48° 06' 29" E a distance of 74.62 feet to an unmarked boundary point, which point marks the northwest corner of the herein conveyed premises and the westerly right of way limits of Chubb Hill Road, so-called;

Thence along the westerly limit of Chubb Hill Road S 37° 03' 59" E a distance of 49.68 feet to an iron pin set, which point marks the northeast corner of the herein conveyed premises;

Thence S 48° 06' 29" W a distance of 68.43 feet to an unmarked boundary point;

Thence S 43° 26' 15" W a distance of 41.99 feet to an unmarked boundary point;

Thence S 36° 51' 57" W a distance of 67.38 feet to an unmarked boundary point;

Thence S 42° 55' 21" W a distance of 23.00 feet to an unmarked boundary point;

Thence S 47° 02' 16" E a distance of 2.44 feet to an unmarked boundary point;

Thence S 32° 27' 26" W a distance of 65.11 feet to an unmarked boundary point;

Thence N 55° 45' 31" W a distance of 8.78 feet to an unmarked boundary point;

Thence S 34° 00' 43" W a distance of 48.77 feet to an unmarked boundary point;

Thence S 55° 45' 31" E a distance of 12.44 feet to an unmarked boundary point;

Thence S 00° 58' 43" E, 103.78 feet along a curve with a radius of 133.82 feet and a length of 106.58 feet to an unmarked boundary point;

Thence S 28° 32' 52" E a distance of 38.53 feet to an unmarked boundary point in the northerly right of way limits of Vermont Route 131, which point marks the southeast corner of the herein conveyed premises and the point and place of beginning.

Said area of discontinuance is more particularly depicted upon a plan entitled "Alteration of Chubb Hill Road on Land of Don P. and Patricia O. Davis" prepared by Paton Land Surveying, Springfield, Vermont dated February 10, 2012, bearing project number 2012-257-69.

This conveyance consistent with the Town's discontinuance reflects a prior conveyance of a new road easement to the Town of Cavendish for Chubb Hill Road from Don P. and Patricia O. Davis, relocating the same, to which road easement further reference may be had.

TO HAVE AND TO HOLD my right and title in and to the said quitclaimed premises,  
with the appurtenances thereof, to the said

**DON P. DAVIS and PATRICIA O. DAVIS**  
*Husband and wife, tenants by the entirety*

and their heirs, executors, administrators, and assigns forever;

AND FURTHERMORE the said

**THE TOWN OF CAVENDISH**

do for itself and its heirs, executors, administrators, and assigns, covenant with the said Grantees,

**DON P. DAVIS and PATRICIA O. DAVIS**  
*Husband and wife, tenants by the entirety*

and their heirs, executors, administrators, and assigns, that from and after the ensealing of these presents the said

**THE TOWN OF CAVENDISH**

will have and claim no right in or to the said quitclaimed premises.

IN WITNESS WHEREOF, I hereunto set my hand and seals this 30<sup>th</sup> day of  
AUGUST, 2013.

IN PRESENCE OF:

Nate M. McNamara  
Witness

Richard Svec, TOWN MANAGER  
**RICHARD SVEC**  
Authorized Representative,  
The Town of Cavendish, Vermont

STATE OF Vermont  
COUNTY OF Windsor  
TOWN/CITY OF Cavendish ss.;

On this 30 day of August, 2013, **Richard Svec** personally appeared, and he acknowledged this instrument by him sealed and subscribed, to be his free act and deed and the free act and deed of The Town of Cavendish, Vermont.

Before me:

Jan Riley  
Notary Public  
My commission expires: 02/10/15

**Vermont Property Transfer Tax**  
32 V.S.A. Chap. 231  
**-ACKNOWLEDGMENT-**  
Return Received

Return No. 13-29  
Signed Jan Riley, Clerk  
Date 8-30-13

CAVENDISH, VT. TOWN CLERK'S OFFICE

RECEIVED FOR RECORD

*August 30* A.D. 20*13*

at *1:00 P* M and Recorded in

Book *80* Page *49-421*

of Cavendish Land Records

Attest: *Jan S. Riley*

Town Clerk

RECORDED  
INDEXED  
ACKNOWLEDGMENT  
Clerk



# EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS that we,

**DON P. DAVIS and PATRICIA O. DAVIS**  
*Husband and wife, tenants by the entirety,*

of Cavendish in the County of Windsor and State of Vermont,

**GRANTORS,**

in the consideration of One Dollar and Other Good and Valuable Consideration paid to our satisfaction by

**THE TOWN OF CAVENDISH,**

**GRANTEE,**

have REMISED, RELEASED, AND FOREVER QUITCLAIMED unto the said

**THE TOWN OF CAVENDISH,**

and its heirs, executors, administrators, and assigns, all right and title which we,

**DON P. DAVIS and PATRICIA O. DAVIS**  
*Husband and wife, tenants by the entirety,*

or our heirs have in and to a certain piece of land in Cavendish, in the County of Windsor and State of Vermont, described as follows, viz:

A perpetual easement over and across lands and premises, a portion of that land and premises as was conveyed to Don P. Davis and Patricia O. Davis by Warranty Deed of Don P. Davis, dated April 18, 1997 and recorded on April 23, 1997 in Book48, at page 505 of the Town of Cavendish Land Records. This land and premises is further described as land of Don P. and Patricia O. Davis Tax Map 7, Lot 92. Said easement conveyed is described as follows;

Beginning at an iron pin set in the southerly right of way limit of Chubb Hill Road so-called, said pin marking the northwesterly corner of the herein conveyed easement.

Thence continuing along the southerly right of way limit of Chubb Hill Road so-called N 48° 06' 29" E a distance of 96.13' to an iron pin set in the in the southerly Right of Way limit of

Chubb Hill Road, so-called;

Thence S 05°31'15" W, 67.67 feet along a curve with a radius of 50.00 feet and a length of 74.33 feet to an iron pin set;

Thence S 37°03'59" E a distance of 156.96 feet to an iron pin set in the northerly right of way limits of Vermont Route 131;

Thence along the northerly right of way limits of Vermont Route 131, S 51°00'38" W a distance of 50.03 feet to an iron pin set along the northerly right of way limits of Vermont Route 131;

Thence N 37°03'59" W a distance of 200.38 feet to the point and place of beginning.

Said easement contains 10,522 square feet, more or less, and is 50 feet in width. Said easement is more particularly depicted upon a plan entitled "Alteration of Chubb Hill Road on Land of Don P. and Patricia O. Davis" prepared by Paton Land Surveying, Springfield, Vermont dated February 10, 2012, bearing project number 2012-257-69.

The purpose and intent of the herein conveyance is to provide a 50 foot right of way for Town Highway purposes between the existing Chubb Hill Road, so-called, and Vermont Route 131. This conveyance is made for vehicular and pedestrian traffic, as well as utilities and is to conform at all times to Cavendish highway standards. The Town of Cavendish will, upon adoption of such road, be responsible for its maintenance, upkeep and signage and such rights and privileges are conveyed herein.

TO HAVE AND TO HOLD my right and title in and to the said quitclaimed premises, with the appurtenances thereof, to the said

**THE TOWN OF CAVENDISH,**

and their heirs, executors, administrators, and assigns forever;

AND FURTHERMORE we, the said

**DON P. DAVIS and PATRICIA O. DAVIS**  
*Husband and wife, tenants by the entirety*

do for ourselves and our heirs, executors, administrators, and assigns, covenant with the said

Grantee,

**THE TOWN OF CAVENDISH,**

and its heirs, executors, administrators, and assigns, that from and after the ensealing of these presents I/we, the said

**DON P. DAVIS and PATRICIA O. DAVIS**  
*Husband and wife, tenants by the entirety,*

will have and claim no right in or to the said quitclaimed premises.

IN WITNESS WHEREOF, we hereunto set our hand and seals this 10<sup>th</sup> day of July, 2013.

IN PRESENCE OF:

*Richard F. [Signature]*  
Witness

*Don P. Davis*  
DON P. DAVIS

*Richard F. [Signature]*  
Witness

*Patricia O. Davis*  
PATRICIA O. DAVIS

STATE OF Vermont  
COUNTY OF Windsor  
TOWN/CITY OF Cavendish SS.;

On this 10 day of July, 2013, **Don P. Davis and Patricia O. Davis** personally appeared, and they acknowledged this instrument by them sealed and subscribed, to be their free act and deed.

Before me: *Jane Riley*  
Notary Public  
My commission expires: 02 / 10 / 15

**Vermont Property Transfer Tax**  
32 V.S.A. Chap. 231  
**-ACKNOWLEDGMENT-**  
Return Received

Return No. # 13-23  
Signed Jane Riley, Clerk  
Date 7-10-13

CAVENDISH, VT. TOWN CLERK'S OFFICE

RECEIVED FOR RECORD

July 10 A.D. 2013  
at 5:25 P M and Recorded in  
Book 00 Page 223-225  
of Cavendish Land Records  
Attest: Jane A. Riley

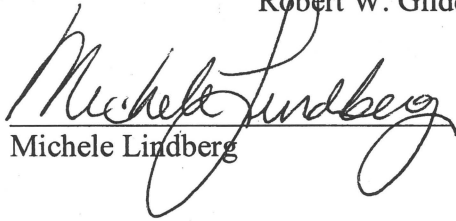
Town Clerk


RECORDED  
ACKNOWLEDGMENT  
Notary Public, Vermont  
Clerk

Having made these findings, the Selectmen of the Town of Cavendish conclude that the public good, necessity, public safety and convenience require the alteration of Chubb Hill Road, Cavendish Town Highway #26 as described above and more particularly depicted in the Paton Land surveying drawing of February 10<sup>th</sup>, 2012 and so, order that the work be completed to accomplish such alteration and that upon construction approval by the Town Manager of the new intersection and section of Chubb Hill Road, the new section of road shall be opened to public traffic. Further, immediately following such road opening, the section of Chubb Hill Road to be discontinued shall be closed to public traffic, marked as a private drive, and shall be declared officially discontinued as a town highway.


Dated at Cavendish, Vermont this 18<sup>th</sup> day of September, 2013.

  
Robert W. Glidden, Select Board Chair

  
Michele Lindberg

  
Scott Ranney

\_\_\_\_\_  
Michael Ripley

  
George Timko

CAVENDISH, VT. TOWN CLERK'S OFFICE

RECEIVED FOR RECORD

September 21<sup>st</sup> A.D. 2013.

at 4:20 P.M. and Recorded in

Book 80 Page 859-860

of Cavendish Land Records

Attest: 

Town Clerk

## SELECTMEN'S REPORT AND FINDINGS OF FACT

### MOTION TO ALTER CHUBB HILL ROAD, TOWN HIGHWAY #26

1. Consistent with 19 V.S.A. §708, the Selectmen of the Town of Cavendish initiated proceedings upon their own motion for Chubb Hill Road, Town Highway #26, located within the Town of Cavendish, Vermont to be altered.
2. Consistent with 19 V.S.A. §709, the Selectmen promptly appointed a time and a date for examining said premises and hearing for those persons interested and they gave thirty (30) days notice to all persons owning or interested in lands through which the highway passes, of the time that they would be inspecting the site and receiving testimony. They also gave notice to the Municipal Planning Commission, posted a copy of the Notice in the office of the Town Clerk, and caused a Notice to be published in the local newspaper of general circulation in the area, not less than ten (10) days before the time set for hearing. The Notice was sent to the official residence of those persons required to be notified.
3. A hearing to alter said road was accordingly scheduled for Monday, August 19<sup>th</sup>, 2013 immediately following a site visit and inspection by the Selectmen and all interested parties. The inspection and hearing proceedings began at 5:00 p.m. as warned.
4. After examining the premises, examining the survey and hearing any and all interested parties, the Selectmen have adjudged that the public good, necessity and convenience of the inhabitants of the Town of Cavendish require the following alteration of Chubb Hill Road, Town Highway #26, and thus making this their report and findings:

#### **FINDINGS:**

1. Chubb Hill Road, Town Highway #26, is a road which begins at Vermont Route 131 and terminates at the intersection with East Road, Town Highway #5. The existing Chubb Hill Road has a total length of 0.75 miles.
2. At the commencement of the Chubb Hill Road, there exists the original but very dangerous intersection with Vermont State Highway #131 located 176' west of VTrans mile marker 1310/1406/0400.
3. The proposed alternate intersection is much safer and is located 244' to the east of VTrans mile marker 1310/1406/0400.
4. All of the adjoining property for the affected section of Chubb Hill Road is owned by Don P. and Patricia O. Davis. It was the Davises who initially offered the easement exchange to accomplish the proposed alterations to Chubb Hill Road. The Davises, as affected and adjoining landowners, are directly involved parties in the proposed alterations and were directly involved in the planning of said alterations. Don P. and Patricia O. Davis are also co-applicants with the Town of Cavendish in the approved VTrans Access Permit for the proposed alteration.
5. The Town and the Davises have exchanged deeds to grant the needed new highway right-of-way to the Town of Cavendish and to grant the old highway right-of-way land from the Town to Davis. The discontinuance of the old section of Chubb Hill Road and the acceptance of the replacement section of Chubb Hill Road are properly accounted for by said deed exchange. Both deeds are recorded in the Cavendish Land Records specifically in Book 80, pages 419-421 and Book 80, pages 223-225 respectively.

Selectmen's Meeting, Monday, August 19<sup>th</sup>, 2013. This meeting will open at 5:00 pm with a site visit to the lower (southern) end of Chubb Hill Road and its intersection with Vermont State Highway 131, beginning at 5:00 pm whereat the Board of Selectmen will inspect the affected town highway areas involved in the acceptance and discontinuance proceedings. Following the site visit, the Board will recess to the Meeting Room at the Cavendish Town Office for the purpose of conducting the hearings for discontinuance of the old intersection and lower portion of the road and the acceptance of the new intersection and lower portion of the road. A short selectmen's meeting will follow the hearings.

Present: George Timko (Acting Chairman), Mike Ripley, Michele Lindberg, Scott Ranney, Rich Svec (Town Manager), Diane McNamara (Recording Secretary), Bob Glidden, and citizens as listed on the attached attendance sheet

1. **Meet on site at the OLD (existing) intersection of Chubb Hill Road for a site visit of the affected area. The Board Chair will call the meeting to order and the Town Manager will conduct the site visit. No testimony will be taken by the Selectmen at the site visit. Any testimony offered should be made at the hearings. Participants should park safely on Chubb Hill Road near the Davis homestead but at least 75 feet from the state highway, without blocking the Chubb Hill Road traveled way, and being respectful of the Davis property.**

George Timko, Acting Chairman, called the meeting and site visit to order at 5:07 p.m.

2. **The Board Chair will call for a short recess following the site visit to allow the Selectmen and attendees to travel to the Cavendish Town Office for the hearings.**

George Timko, Acting Chairman, recessed the hearing at 5:26 p.m.

3. **Reconvene the meeting at the Town Office.**

Bob Glidden, Chairman, reconvened the meeting and opened the hearings at 6:36 pm. Rich asked permission to cover agenda item #6 first in order to explain the construction schedule for Chubb Hill.

4. **Conduct the hearing on the discontinuance of the old (existing) lower portion of Chubb Hill Road.**

*Scott Ranney moved/Michele Lindberg seconded a motion to discontinue the existing Chubb Hill Road access (as shown on the modified survey drawing submitted to VTrans with the access permit application) immediately upon opening of the new Chubb Hill Road access. All voted in favor.*

5. **Conduct the hearing on the acceptance of the new (under construction) lower portion of Chubb Hill Road.**

*Michael Ripley moved to accept the new Chubb Hill Road access as shown on the previously mentioned survey with a 50" foot right of way and that the opening of the new road is anticipated to be August 27<sup>th</sup>, 2013 or as soon as possible. Bob Glidden seconded the motion. All voted in favor.*

John Dean inquired as to what would be the burden of cost to Don Davis. Rich explained that, on a vote by the Select Board on July 8, 2013, the split is 60% Town of Cavendish and 40% Don Davis for the completion of the project. (See minutes of the Select Board meeting of 07/08/13. Rich said that he has an email from Don which lists the costs already incurred by Don for road base construction and the survey.

Ken Emory stated that this cost split was voted on without Don's presence nor was Don informed and Ken said he feels that the vote was illegal and that the Town should pay for all of the expenses.

Keith Varga said that he believes that Don Davis, a long-time resident of town, was not treated fairly. Keith stated that Don tried to work with the town and met with opposition.

Brenda Gregory stated that she feels that the Select Board is trying to pull a fast one on Don Davis and thinks that the Town should pay for the whole thing.

George Timko explained that Don was the largest part of the delay that took place and that there was never any opposition from the Select Board toward changing the road to make it safer. George felt that, if you took a town wide vote, the rest of the taxpayers would not want to pay all of the expenses for the road switch.

Shannon Devereaux talked about the current Chubb Hill Road being a dangerous access to Route 131 and stated that we should be grateful that Don gave us the opportunity to have this land so that we can avoid this safety issue.

Nancy Kelly asked if there was ever a conversation between the Town and Don Davis about how costs would be split or that he would be responsible for a portion of the expenses to complete the switch over-including signage. Rich responded that we did discuss that it would be Don's expense to provide the survey drawings and that there would be a cost splitting between the Town and Don. If you want to weigh out all of the benefits, some are to the favor of the Town, some are to Don's favor, but it is definite that there is a benefit to the citizens of the town and the motoring public.

Peter Labelle noted that the Board can amend the motion made previously to split the costs 60% - 40%. Peter also asked if there is a written policy regarding the expense of moving roads?

Rich said that there is not a written policy in place that would cover this particular situation. There are precedents, however. Rich said that, in the final analysis, the costs will most likely end up being about 60/40, Town/Davis when considering all previous expenses and the expenses to come, through completion.

Bob Glidden suggested that the Board look at the overall costs at the next monthly meeting and do a final analysis of the situation and then make a decision as to the split ratio. Rich offered to have a spreadsheet showing all Chubb Hill costs through to project completion at the September 9<sup>th</sup> meeting.

*George Timko moved/Scott Ranney seconded a motion to close the hearing at 6:25 pm. All voted in favor.*

6. **Town Manager to explain the construction schedule for work to switch over to the new section of the road and the decommissioning of the discontinued section. The discussion will include a request to the Select Board to allow closing the Chubb Hill Road to traffic on Monday, August 26<sup>th</sup> and Tuesday, August 27<sup>th</sup> in order to accomplish the construction activities necessary for the switch over.**

Rich explained that the apron to the new Chubb Hill Road will be paved tomorrow, 8/20/13. Cavendish Town Highway Crew will then need to create an embankment to prohibit access to the discontinued Chubb Hill Road, top dress and grade the new road and install road signage. This work will take place on 8/26 and 8/27 and it will be necessary to close the road to traffic.

7. **Consider a request from the Board of Listers to amend the 2013 Grand List under Errors and Omissions in order to remove a property, specifically #2R08-013.C040, a camper, from the list.**

Diane McNamara explained to the Board members that Kent Patterson, the owner of a camper that had been located at Caton Place Campgrounds, wrote to the Listers to explain that he had moved his camper from Caton Place Campground at the beginning of May, 2013. Kent said he would have moved the camper prior to that date but he was unable to access the



the campground until it was re-opened this May. Diane, on behalf of the Cavendish Listers, requested that Parcel I.D. #2R08-013.C040 be removed from the Grand List under Errors and Omissions. *Scott Ranney moved/Bob Glidden seconded a motion to remove Parcel I.D. #2R08-013.C040 from the 2013 Grand List. All voted in favor.*

8. **Continue the discussion on the PACE Program (see item #12, SB 08-12-13) and the paperwork that the Board took away last Monday for review.**

*Scott Ranney/Mike Ripley made a motion to sign the resolution for adoption of the Pace Program pending Town Counsels positive review of the agreement. All voted in favor.*

9. **Town Manager to give a brief progress report on 2013 Paving Program activities.**

Rich informed the Board that the Twenty Mile Stream Road paving project is complete and that Tarbell Hill Road will be done tomorrow. Also to be paved is the flood damaged area at the Proctorsville Village Green, Chubb Hill apron paving, Pratt Hill Road where flood damage repair work was recently completed and the paving of the sidewalk in front of the Merritt house in Proctorsville. Rich mentioned that a Town Highway employee (Kurt) will be driving Truck #2 to the plant to pick up one 14 yard truck load of asphalt for paving in various places around town where there are potholes, etc.

10. **Other business**

Rich announced that he received a letter today from Jane Pixley announcing her retirement as of September 27<sup>th</sup>, 2013. Rich read the letter aloud. (See attached) Rich explained that Jane's term as Clerk/Treasurer is up in March 2014. Rich suggested that the position be posted as per statute. Rich said that he will ask office personnel who are interested to submit resumes and suggested that the Select Board make a temporary appointment until the March, 2014 election. Rich said he feels that the temporary appointment would ensure continuity. *Bob Glidden moved/Scott Ranney seconded a motion to accept Jane Pixley's resignation with regrets. All voted in favor.*

Michele Lindberg asked Rich if he received her email regarding the culvert on East Road. Rich said that he did receive her email and will have it looked at. Michele suggested that this repair be taken care of before Whitesville Bridge closes. She also asked why the School Board members are coming to the Town Office to sign CTES orders. Rich said he couldn't answer that question but suggested that this matter be brought up to Gene Bont, School Board Chairman.

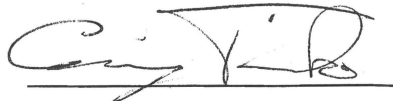
Michele also asked about the gravel pit access. Rich explained that he can't yet have the apron paved because he hasn't received the permit approval from the State yet.

George Timko reminded Rich about the pothole in the sidewalk near Pie Alley.

11. **Adjourn**

*Scott Ranney moved/George Timko seconded a motion to adjourn the meeting at 7:09 p.m. All voted in favor.*

Approved:



Date:

09.09.2013

**RECEIVED**  
 AUG 13 2013  
 TOWN OF CAVENDISH

**Vermont Journal**

Invoice No. 286

PO Box 228  
 Ludlow, Vermont 05149  
 802-228-3600 fax 802-228-3464

**INVOICE**

**Customer**

Name Town Of Cavendish  
 Address PO Box 126  
 City Cavendish State VT ZIP 05142  
 Phone 802-362-5000

Date 7/31/13  
 Order No. \_\_\_\_\_  
 Rep \_\_\_\_\_  
 FOB \_\_\_\_\_

Date	Description	Total Price
7/31/13	Notice of Discontinuance of Certain Section 11 inches of Advertising @\$8.50 per Col Inch <i>(Change Hill Rd)</i> <i>HENNINGST</i>	\$93.50

TOWN OF CAVENDISH  
 AUTHORIZATION \_\_\_\_\_  
 ACCT. NAME Town Bus Advertising  
 ACCT. # 100-6900-30.00  
 SEL ORDER # 286 DATE PD. \_\_\_\_\_  
**PAID AUG 15 2013**  
CR15042

**Payment Details**

Cash  
 Check  
 Credit Card

Name \_\_\_\_\_  
 CC # \_\_\_\_\_  
 Expires \_\_\_\_\_

SubTotal	\$93.50
Shipping & Handling	
Taxes	
<b>TOTAL</b>	<b>\$93.50</b>

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THE Vermont Journal THE Newsket

# LEGALS & HEL

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AUTOMOTIVE CONSULTANT**  
with experience, or will train the right person

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### TOWN OF CAVENDISH

#### NOTICE OF DISCONTINUANCE OF A CERTAIN SECTION AND ACCEPTANCE OF AN ALTERNATE SECTION OF CHUBB HILL ROAD, CAVENDISH TOWN HIGHWAY #26

The Board of Selectmen of the Town of Cavendish will meet to conduct a site visit of the lower portion of Chubb Hill Road to examine the old highway and a proposed new section of that town highway at 5:00 PM on Monday, August 19<sup>th</sup>, 2013. Immediately following the site visit, the Selectmen will travel to and reconvene their meeting at the Cavendish Town Office Meeting Room for the purpose of conducting a hearing and to consider:

- Discontinuance of the old section of Chubb Hill Road beginning at the existing intersection of the Chubb Hill Road with Vermont Route 131 by the Davis Homestead and extending approximately 497' up the road.
- Acceptance of a new section of Chubb Hill Road which would begin at a point on Route 131, 420' east of the old intersection and would extend approximately 200' north to join the existing Chubb Hill Road.

This proposed discontinuance and acceptance will achieve a relocation of the intersection of Town Highway #26 with the State Highway #131 which will substantially improve sight distances and safety for the traveling public. The Town of Cavendish received a permit from the Vermont Agency of Transportation on July 15, 2013 for this proposed change of access for Chubb Hill Road to Vermont Route 131.

Interested parties are advised that transportation to the site visit and to the hearing will be their own responsibility. The purpose of site visitation is to inspect both the old and new subject road segments but not to hear testimony which, instead, should be offered at the hearing which immediately follows the site visit.

The acceptance and discontinuance proceedings shall be conducted in accordance with the statutory requirements specified in VSA Title 19. The acceptance and discontinuance orders shall be recorded by the Town Clerk.

Further information on this matter may be obtained by contacting the Cavendish Town Office at (802) 226-7291 or (802) 226-7292 or by visiting the Town Office at 37 High Street, Cavendish, Vermont 05142-0126.

## SEEK I

### MULTI-FUNCTIONAL GRAPHIC DES

KMA Publications is seeking a p  
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be flexible, personable and willing  
all departments. If you have t

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- Knowledgeable with Mac Ope
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Send Your Cover Letter, R  
Hourly Wage Requirem  
[publisher@vermontjour](mailto:publisher@vermontjour)

### TOWN OF GRAFTON PLANNING PUBLIC HEARING

Residents of the Town of Grafton are hereby  
Planning Commission will hold a public hea  
12, 2013 at the Grafton Town Hall, 117 Main  
05146 at 7:00 PM, site visit at 6:45 PM. Re  
ry and Heather A Gregory for a 2 lot subd  
The request is for the classification as a minc  
subdivide 16.1+/- acres into 2 parcels: Lot 1  
acres, Lot 2, labeled "Remaining land of Jam  
A., Gregory, consisting of 12.6+/- acres as s  
"Subdivision of Land of Jamie L. Gregory an  
DAUCHY-CREAMER ASSOCIATES, LLC, I  
1, 2013, parcel located at the northwesterly c  
and Rte. 121 in Grafton, Vermont, Parcel No

Copies of the application are available for re  
Office at 117 Main Street in Grafton Vermo

Eric Stevens: Pla

## TOWN OF CAVENDISH

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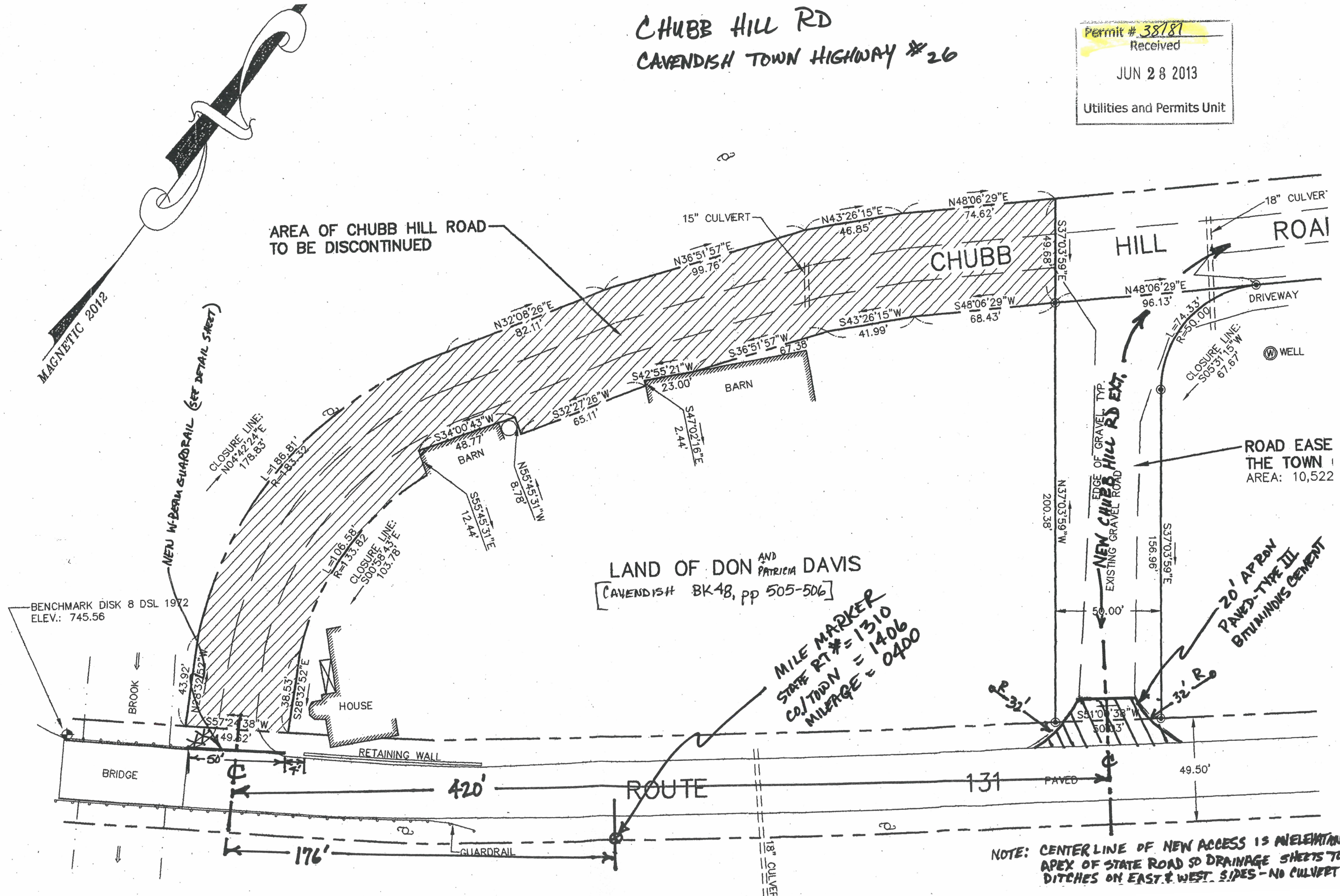
TH 26 Chubb Hill Rd

STOP



# CHUBB HILL RD CAVENDISH TOWN HIGHWAY #26

Permit # 38181  
Received  
JUN 28 2013  
Utilities and Permits Unit



MAGNETIC 2012

AREA OF CHUBB HILL ROAD  
TO BE DISCONTINUED

CHUBB

HILL ROAD

LAND OF DON AND PATRICIA DAVIS  
[CAVENDISH BK48, pp 505-506]

MILE MARKER  
STATE RT # = 1310  
CO/TOWN = 1406  
MILEAGE = 0400

ROAD EASE  
THE TOWN  
AREA: 10,522

20' APPROX  
PAVED-TYPE III  
BITUMINOUS CEMENT

NOTE: CENTER LINE OF NEW ACCESS IS MEASUREMENT  
APEX OF STATE ROAD SO DRAINAGE SHEETS TO  
DITCHES ON EAST & WEST SIDES - NO CULVERT

## Moulton, Sara

---

**From:** Croft, Johnathan  
**Sent:** Thursday, August 29, 2013 4:05 PM  
**To:** 'Richard Svec'  
**Cc:** McAvoy, Brian; Alexander, John; Moulton, Sara  
**Subject:** RE: Cavendish - Chubb Hill Road

Good afternoon Richard,

We can add the town highway change to our 2014 Mileage Certificate Pending File, and preload the Certificate with any changes that have occurred to TH-26. I you could send along the documentation from the formal proceedings and any surveys or construction plans as part of the packet, that would be helpful. Hard copy documents can be sent to the following address:

Johnathan Croft  
VTrans Mapping Unit  
One National Life  
Montpelier, VT 05633-5001

Please feel free to contact me with any questions or comments regarding these Mileage Certificates, or mapping in general.

Johnathan Croft  
VTrans Mapping Unit  
(802) 828-2600

---

**From:** Alexander, John  
**Sent:** Thursday, August 29, 2013 7:14 AM  
**To:** Croft, Johnathan; McAvoy, Brian  
**Subject:** FW: Cavendish - Chubb Hill Road  
**Importance:** High

FYI

---

**From:** Richard Svec [rsvec@comcast.net]  
**Sent:** Wednesday, August 28, 2013 5:40 PM  
**To:** Alexander, John  
**Cc:** McAvoy, Brian  
**Subject:** Cavendish - Chubb Hill Road

**John:**

**Chubb Hill Road (Cavendish TH #26) has been modified and was reopened to traffic at the new intersection as of 3:30 PM August 27<sup>th</sup>. The temporary barriers are blocking off the old intersection, the old apron has been removed, the new apron was paved (35' as discussed) and the guard rail is going out to bid. The new town signs are up but the VTrans signs need to be relocated. Please let me know if you would like to discuss any aspect of the road**

relocation. The Select Board went through the official discontinuance and acceptance hearings and the ROW legal documents have been filed.

I am personally satisfied that the new intersection is much, much safer than the one abandoned!

Ted and Jerry stopped by while we were working on the new intersection so they are aware of this as well.

Is there anything else I should do with your agency on this matter other than showing the changes on the Annual Mileage Report next February?

Thanks.

**Rich Svec**

Richard F. Svec, Town Manager  
Town of Cavendish  
37 High Street  
P.O. Box 126  
Cavendish, Vermont  
05142-0126

Ph: (802) 226-7291

Fax: (802) 226-7290

Email: [rsvec@comcast.net](mailto:rsvec@comcast.net)



LAND OF DON P. & PATRICIA O. DAVIS

CHUBB H  
74 # 26

MAGNETIC 2012

use existing post @ transition

EXISTING B.C. PAVEMENT APRON TO BE REMOVED

HOUSE

EDGE OF RIGHT OF WAY

PAVEMENT CUT LINE

9' PEDESTRIAN OPENING

EXISTING RETAINING WALL

EDGE OF PAVEMENT

ROUTE 1

NEW G.S. W BEAM  
GUARD RAIL TO MATCH  
EXISTING TYPE, HEIGHT, GAUGE & POST  
G. STEEL POSTS

STRAIGHT REFLECTORIZED  
END CAP PER VTRANS SPEC.

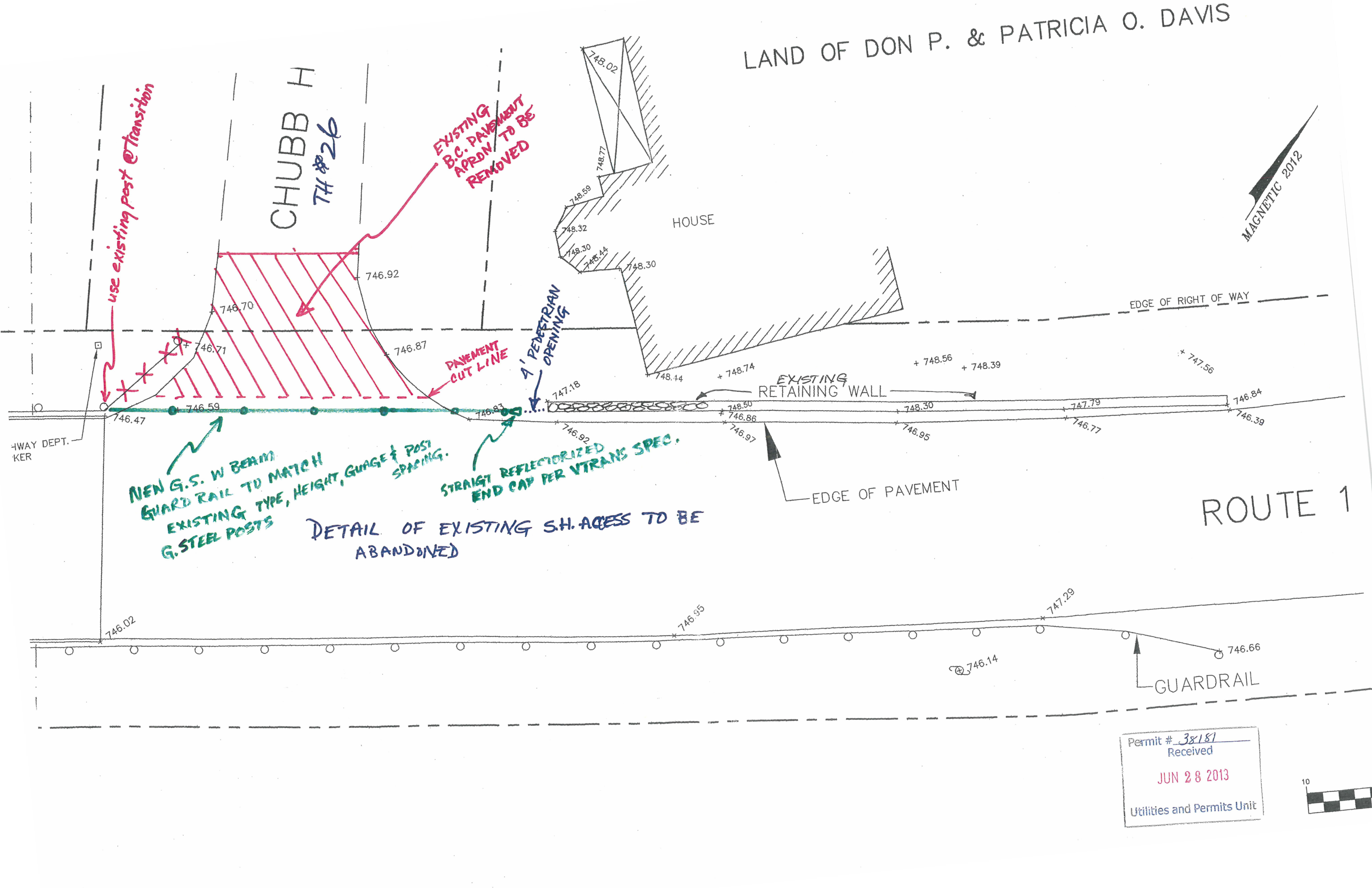
DETAIL OF EXISTING S.H. ACCESS TO BE  
ABANDONED

GUARDRAIL

Permit # 38181  
Received  
JUN 28 2013  
Utilities and Permits Unit

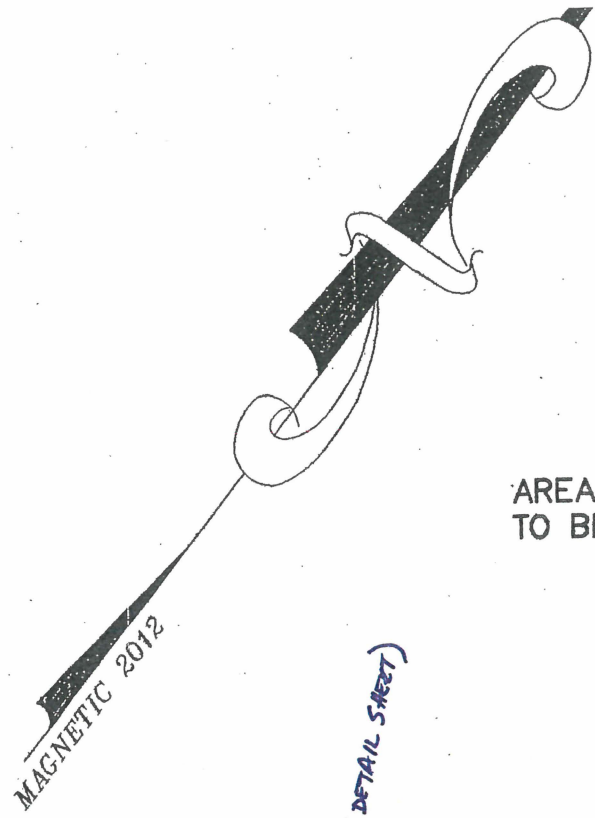


HWY DEPT.  
KER

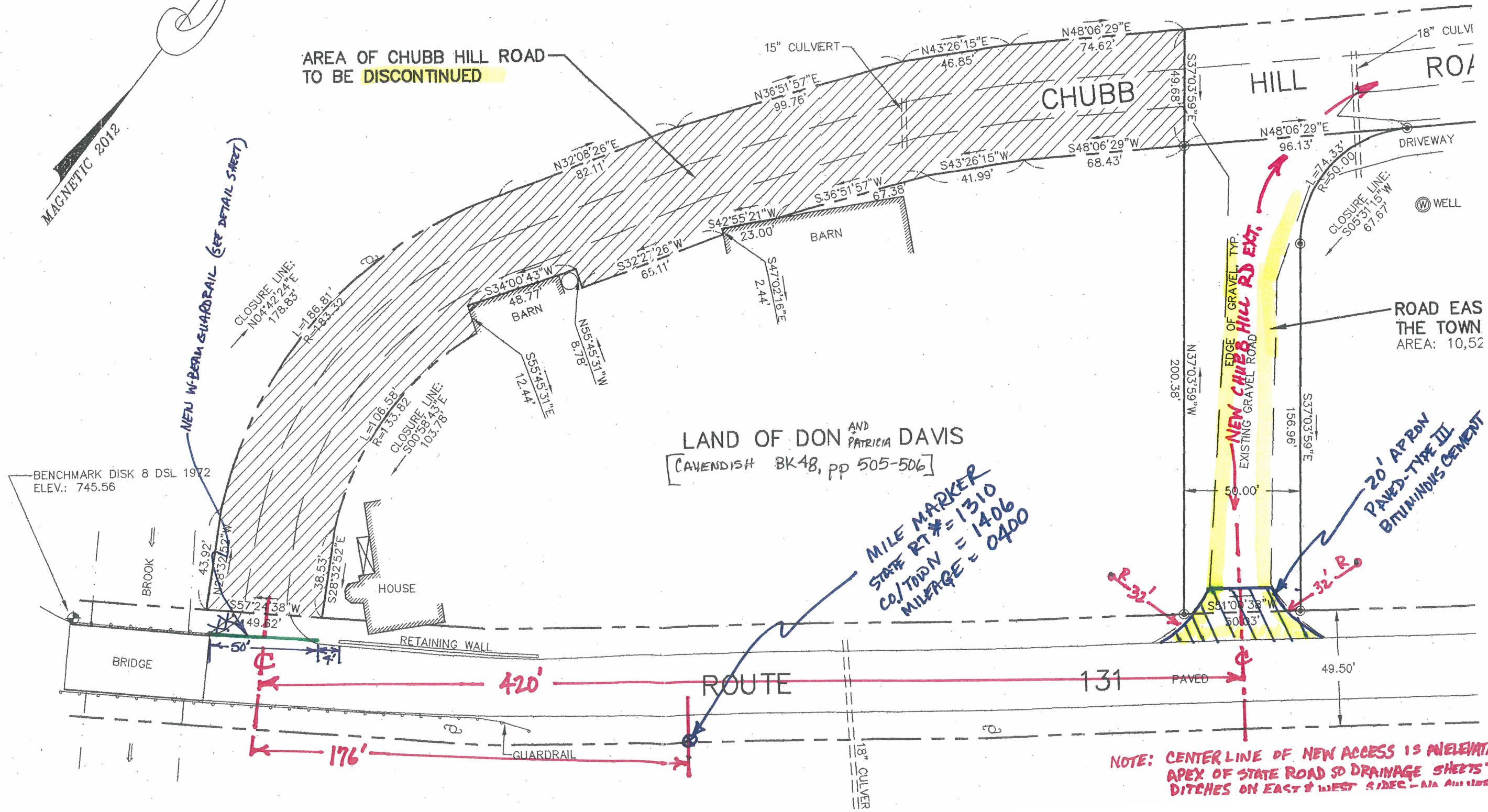


# CHUBB HILL RD CAVENDISH TOWN HIGHWAY #26

Permit # 38181  
Received  
JUN 28 2013  
Utilities and Permits Unit



AREA OF CHUBB HILL ROAD TO BE DISCONTINUED



BENCHMARK DISK 8 DSL 1972  
ELEV.: 745.56

ROAD EAST THE TOWN  
AREA: 10.52

20' APRON  
PAVED - TYPE III  
BITUMINOUS CEMENT

NOTE: CENTER LINE OF NEW ACCESS IS ALIGNED WITH APEX OF STATE ROAD SO DRAINAGE SHEETS 71 DITCHES ON EAST & WEST SIDES - NO APRONS

AVENDISH  
TOWN  
011-06-13

TH-26



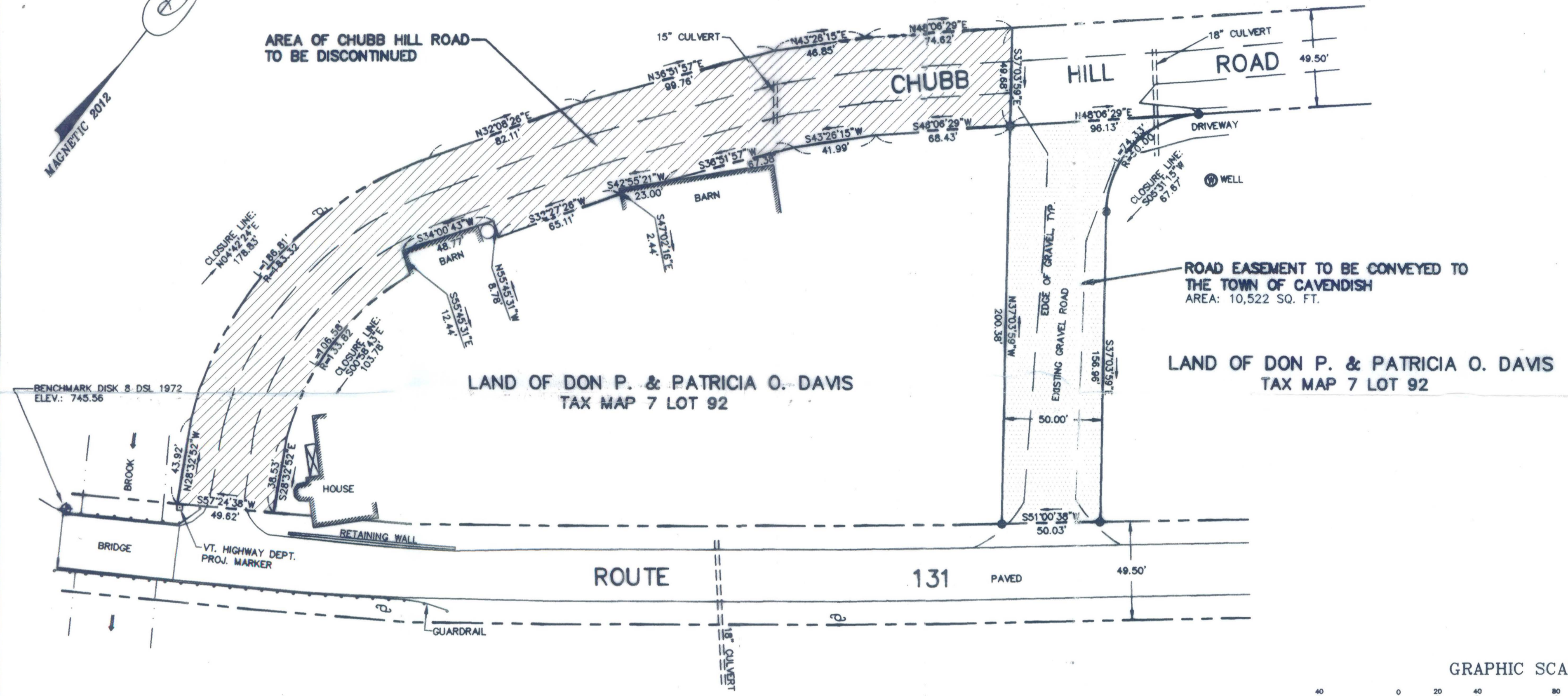
Date: September 10, 2013

at 9:50 AM

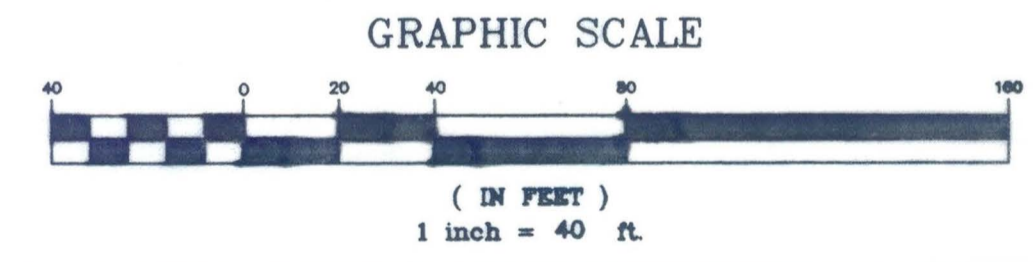
Map Slide: 159A

Attest: *David M. McNamee*

MAGNETIC 2012



LAND OF DON P. & PATRICIA O. DAVIS  
TAX MAP 7 LOT 92



**NOTES**

1. OWNER OF RECORD OF TAX LOT 7-82: DON P. & PATRICIA O. DAVIS, 20 CHUBB HILL ROAD, CAVENDISH, VT 05142. DEED REFERENCE: VOL. 48 PAGE 505.
2. REFERENCE IS MADE TO THE VERMONT HIGHWAY DEPT. PROJECT NO. S 29 (1) FOR ROUTE 131, DATED APRIL 14, 1947., SHEET 4 OF 34.
3. THE RIGHT OF WAY WIDTH OF CHUBB HILL ROAD IS ASSUMED TO BE 3 RODS, PER CAVENDISH TOWN MANAGER.
4. BEARINGS SHOWN HEREON ARE REFERENCED TO A 2012 MAGNETIC OBSERVATION.

**LEGEND**

- IRON PIN SET
- - - EDGE OF BROOK
- ⊕ UTILITY POLE

**~CERTIFICATION~**

IN MY OPINION AND TO THE BEST OF MY KNOWLEDGE, THIS PLAT IS CONSISTENT WITH INFORMATION ABSTRACTED FROM THE TOWN OF CAVENDISH LAND RECORDS AND PHYSICAL EVIDENCE FOUND IN THE FIELD.

*Christopher T. Paton*  
CHRISTOPHER T. PATON, VT L.L.S. # 692

PLAN SHOWING  
**ALTERATION OF CHUBB HILL ROAD**  
ON LAND OF  
**DON P. & PATRICIA O. DAVIS**  
CHUBB HILL ROAD & ROUTE 131, CAVENDISH, VERMONT

PREPARED BY  
**PATON LAND SURVEYING**  
P.O. BOX 581 SPRINGFIELD, VT 05156  
(802) 885-6674

DATE: FEB. 10, 2012 SCALE: 1"=40'  
DRAWN BY CTP CK'D BY CTP  
SURVEYED BY CTP & RW

THIS PLAT IS PREPARED IN ACCORDANCE WITH 27 V.S.A. 1403 ORIGINAL INK ON MYLAR