

Town of Calais, Vermont

CHARTERED 1781

4th Class Portion of Sand Hill Road (TH#18) Deliberative Session October 27, 2014, Calais Town Hall

Present: Selectboard – Scott Bassage, John Brabant, Toby Talbot, Denise Wheeler; Bill Davis, Geraldine Gilman, Gail Graham, Warner Shedd. Rose arrived late having come from work.

Denise Wheeler, chair, opened the meeting at 6:30 pm.

Toby Talbot recused himself from voting, but not from offering his opinion. Though he had walked and marked the 4th class portion of TH#18, he had not attended the warned site visit or hearing on October 13, 2014.

Denise began the meeting by stating that there are three options: 1) leave the road as 4th class; 2) discontinue the road; 3) turn the road into a trail. She had spoken with a lawyer at Vermont League of Cities and Towns who said a trail can be turned back into a road, following the same warning process as discontinuing or changing the classification of a road.

A fourth option is closing the road to vehicular traffic. John Brabant said the road is unstable and should be blocked off.

Sharing their individual opinions, Toby said he supported turning the road into a trail and/or closing it to traffic as long as the town maintained the right of way. Scott supported leaving the road 4th class. "It is an important asset to the town," he said. Denise said she supported leaving the road as is and/or blocking it off.

There was discussion about how Leonard Road has been blocked off. The Selectboard blocked the road with a mesh gate and signage: "Closed to vehicular traffic by order of the Selectboard." The classification of the road was not changed. The fence is taken down in the winter for snowmobilers.

John pointed out that the town has some responsibility for maintaining 4th class roads and if it doesn't provide some upkeep there could be liability issues or requests to "fix" the road. He suggested it be a pent road.*

John made a motion to: "Maintain the 4th class portion of Sand Hill Road (TH18) as a pent road, erecting signage, prohibiting vehicular traffic, and keeping it open for walking. Disturbance of the road in any way is prohibited without permission of the Selectboard, including by adjacent landowners and the town highway department. Access to the pent road will be blocked at three points with gates, signs or barriers which will be erected upon the recommendation of the town road commissioner and operations manager. Adjacent landowners' access to the pent road will be guaranteed." Denise seconded the motion and the motion passed unanimously 4-0 with votes in the affirmative by Scott, John, Denise and Rose. Toby abstained.

This decision will be mailed to those who received notice of the site visit and hearing.

The meeting adjourned at 7 pm.

***Title 19: Highways, Chapter 3: TOWN HIGHWAYS § 301. Definitions**

"Pent road" is any town highway which, by written allowance of the selectmen, is enclosed and occupied by the adjoining landowner with unlocked stiles, gates, and bars in such places as the selectmen designate.

Donna Fitch, Clerk