

Public Hearing — Richie's Rd — September 27, 2006
West Townshend, Vermont

Present:

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|-----------------------------|-----------------------------|-----------------------------------|
| A. Evans (site) | H. Martin (site & hearing) | Deborah Mears (site & hearing) |
| B. Brooks (hearing) | I. Stowell (site & hearing) | Richard Carusona (site & hearing) |
| Town Counsel, Robert Fisher | | |

At 6:00 pm Henry Martin, chair, stated the purpose for this site visit. Everyone then proceeded to walk the road, which registered approx .03 of a mile by A. Evans' odometer. Individuals viewed limitations and conditions of the road, as per town spec's which is now surfaced with only bank run gravel, portions of it is narrow for travel, extensive side vegetation growth, wet areas; improper driveway access and drainage, driveway and road were washed out. Martin & Stowell inspected and walked extensively at the end of the road seeking a large enough area for a cul-de-sac, R. Carusona voiced that there was not enough room to construct a cul-de-sac, a requirement in the Town Road Spec's (policy).

At 6:20 pm site visit ended and proceeded to Town Hall for Public Hearing.

At 6:40 pm Martin opened the Public Hearing, allowing Richard Carusona to address the Petition to take over (public highway) Ritchie's Road, West Townshend.

Carusona's reasons were strictly monetary. The properties serviced by Richie's Rd would be worth more on a town road; the amount of taxes generated by these properties should be a sufficient amount of money for the Town to maintain it. The Town already maintains roads single resident. Stowell stated the Town inherited these roads and reminded everyone that 85% of taxes collected goes to the schools, 15% to the Town.

D Mears agreed with Carusona's comments, submitting that she believed that her share, to maintain Richie's Rd, was \$600 - \$1,500 +/- a year

Martin reported that road foreman, Kurt Bostrom, was unable to attend tonight's hearing, but left with him his comments about the road's condition:

- gravel base not up to spec's
- no cul-de-sac, as written into Town road construction policy
- poor road drainage is a major problem
 - plus driveway access & drainage
- clearing an area, removing trees to create a cul-de-sac

Martin commented: no area to plow the snow away and that the public good and necessity would not be served. Carusona has seen the Town's small truck plow Island Rd, not a big one. So a small truck could plow Richie's Rd. The road is in great shape, continued Carusona, having been built 17 years ago and been maintained twice. This year's heavy rains have washed away its crown and gravel. He invited the road foreman to inspect the road with him.

Mears & Carusona spoke of the Town's responsibility to provide a safe bus stop at the entrance of Richie's Rd off Rte 30. It has become a gathering spot for 6-8 children, who

don't live in the subdivision but walk across lots to the bus stop. Board members believe that it's the School District's responsibility for this bus stop.

Attorney Fisher addressed the main issue in taking over a road — “is it for the public good, necessity and convenience of the inhabitants of the Town”. The Board may deliberate and make a decision tonight, but it has 60 days to respond in writing to everyone. Carusona explained to Fisher that the snowmobile trail travels off his property to the Dam Diner.

At 7:05 PM Martin closed the Public Hearing; Mears and Carusona left.

The Board can deliberate tonight, or next week with a full Board, explained Fisher, as he would provide a draft “boiler plate” decision for Board comments and/or consideration at their next meeting. Fisher also explained the legal processes of appealing within 30 days of receiving a decision to the Superior Court (appointing commissioners to hear from all parties and to make a report to the Court) and can go further by appealing to Vermont Superior Court. Members agreed that all Select persons should be part of this deliberation/decision and welcomed receiving Fishers' draft.

At 7:10 PM adjourned.

Respectfully submitted,

Cynthia Davis, clerk for the Select Board.