

Town of Marlboro, Select Board
HEARING ON MOVING A PORTION OF ADAMS BROOK ROAD
Thursday, November 8, 2012

ATTENDANCE:

Present were select board members Craig Hammond, chair, Andrea Livermore and Pieter van Loon. Also present were Carol Berner and Anthony Berner, landowners along Adams Brook Road; David Elliott, Road Foreman; and Marcia Hamilton, Select Board Assistant.

CALL TO ORDER:

Craig Hammond called the Hearing to order at 4:05 PM. All present took the oath verbally administered by Craig Hammond, and signed the written oath. He read the Notice of Road Site Inspection and Hearing. The first two paragraphs are as follows:

NOTICE IS HEREBY GIVEN that the Select Board of the Town of Marlboro, pursuant to Title 19, VSA Chapter 7, proposes to move approximately 3,168 feet of Adams Brook Road approximately 100 yards to the northeast where it will run on property currently owned by Anthony R. Berner and Carol B. Berner. The proposed road comprises approximately 3.64 acres of land. The relocation construction was carried out under the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP).

In consideration of the conveyance of this property to the Town by the Berners, the Town will discontinue the currently existing section of Adams Brook Road to be replaced by the proposed new road, and ownership of the right of way of the existing road will revert to the Berners.

BACKGROUND:

The site inspection took place at 2:00 PM. Craig Hammond stated only testimony presented at the Hearing would be considered in the Decision. Present on site at the start of the walk but not participants of the walk were Jerry and Leanne Powers, residents on Adams Brook Road.

HEARING:

David Elliott stated he went back after the road inspection and wheeled the distance of the portion of the road to be retained by the town and determined it to be a distance of 860. He suggests the town would want to keep this portion of the old road and covers all of the culverts the town would want to keep in order to maintain water control. The road was built to town highway standards as adopted in its Highway Ordinance.

David also reminded the select board that the application for HMGP funds was denied at first. At the Annual Town Meeting on March 3, 2009, the voters approved Article 8, as follows: To see if the voters of the Town of Marlboro will authorize the Town to spend up to \$90,000, \$20,000 of which will be allocated in 2009, and the balance of which will be spread over the next three years, to relocate 3,168 feet of Adams Brook Road.

Anthony Berner stated the Augur Hole Road is a main northern route out of town in the event of an emergency. Adams Brook Road has produced runoff onto Augur Hole Road in the past and the improvements will lessen the situation. David Elliott stated that debris came off Adams Brook Road onto Augur Hole Road and emergency vehicles had to use Adams Brook Road to bypass the washout.

David Elliott stated that the highway department looked at life/safety issues of everyone who drives the road as well as the road crew members. With the improvements of Adams Brook Road, the grade went from 19% - 21% to 11% -14%. The road is much safer now.

After deliberation, the Board voted unanimously in the affirmative as follows:

To move and Accept approximately 3,168 feet of Adams Brook Road approximately 100 yards to the NE. The location of the new road is described as follows: Beginning at latitude N 42° 54' 15.0" , longitude W 72° 43' 43.6", just to the north of the intersection of Adams Brook Road and Augur Hole Road, running to latitude N 42° 54' 48.0", longitude W 72° 23' 55.1", at which location the new road again intersects the existing road. (van Loon/Livermore)

To Discontinue 2,308 feet of original Adams Brook Road starting from the point noted in the previous vote. (van Loon/Livermore)

To keep the 860 feet of Class 3 road at the north end beyond the section to be discontinued, and rename it Adams Brook Lane. (Hammond/van Loon)

ADJOURN:

There being no further testimony, the hearing ended at 4:23 PM. The Board will deliberate and render a Decision within 60 days.

Respectfully Submitted,
Marcia L. Hamilton, Select Board Assistant