

**Article 61 - Acceptance of Public Ways - Battlefield Road, Cedar Street, Champlain Road, Port Fortune Lane, Sears Road, Stage Harbor Road, and Stage Neck Road**

To see if the Town will vote to accept the layouts as public ways of Battlefield Rd., Cedar St., Champlain Rd., Port Fortune Ln., Sears Rd., Stage Harbor Rd., and Stage Neck Rd., as shown on a plan entitled "Taking Plan, Town of Chatham; Battlefield Rd., Cedar St., Champlain Rd., Port Fortune Lane, Sears Road, Stage Harbor Road, and Stage Neck Road", dated January 14, 2019 (Sheets 1 through 14) and prepared by Eldredge Surveying and Engineering, LCC, which layouts shall have been filed in the Office of the Town Clerk, not later than seven days prior to the date of the vote hereunder and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain taking any land or interests necessary for the purposes of such ways as so laid out, and to appropriate and transfer from available funds a sum of money to be determined by appraisal and/or to raise said appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow at one time, or from time to time, under and pursuant to Chapter 44 Section 7 or 8 or any other enabling authority for such purchase or taking and layout, including costs of constructing such ways and legal, financing and other costs incidental and related thereto; or take any other action in relation thereto.

**Motion:** By Jeffrey S. Dykens, Board of Selectmen  
I move that the Town vote to accept the layouts as public ways of Battlefield Rd., Cedar St., Champlain Rd., Port Fortune Ln., Sears Rd., Stage Harbor Rd., and Stage Neck Rd., as shown on a plan "Taking Plan, Town of Chatham; Battlefield Road, Cedar Street, Champlain Road, Port Fortune Lane, Sears Road, Stage Harbor Road, and Stage Neck Road", dated January 14, 2019 (Sheets 1 through 14) and prepared by Eldredge Surveying and Engineering, LCC which layouts shall have been filed in the Office of the Town Clerk, not later than seven days prior to the date of the vote hereunder and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain taking any land or interests necessary for the purposes of such ways as so laid out, and to appropriate and transfer from available funds the sum of \$ \_\_\_\_\_, and/or to raise said appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow at one time, or from time to time, under and pursuant to Chapter 44 Section 7 or 8 or any other enabling authority for such purchase or taking and layout, including costs of constructing such ways and legal, financing and other costs incidental and related thereto; and further to authorize the Board of Selectmen to assess betterments to the owners of the land abutting the ways.

**Speaker:** Jill R. Goldsmith, Town Manager

**Explanation:** *This Article requests Town Meeting approval of the revised layouts of the subject roads and authorization for the Board of Selectmen to proceed to acquire*

*necessary easements within the roadway layouts and related roadway/utility maintenance areas to establish the roads as Town ways. This action is necessary due to procedural irregularities with respect to the Town's prior layout/easement acquisition actions in 1997 and, if authorized, will confirm the revised roadway layouts and related easement areas, thus, eliminating any question as to the status of the Town's title and interest in said roadway layouts and easement areas.*

**Board of Selectmen Recommendation:**      **Approve 5-0-0**  
**Finance Committee Recommendation:**      **Recommendation from Town Meeting Floor**  
**Vote Required: Two-Thirds Majority**