



Journal of the Vermont Society of Land Surveyors
Volume 52, Number 2 | Summer 2021

The Cornerpost

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VERMONT'S
TAKE**

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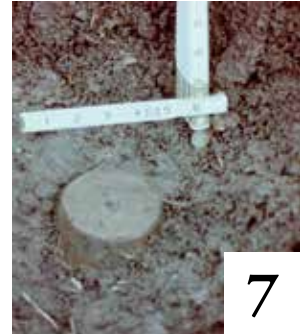
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SEND IN YOUR NEWS

The success of *The Cornerpost* depends on all of our members. Please consider making a contribution to an upcoming issue. Send your articles, news and photos to kelly@vsls.org. Everything is welcome that may be of interest to your fellow surveying professionals.



ON THE COVER

Here's another good reason to watch your step in the woods. What looks like a Green Orb-Weaver Spider was captured (digitally) by Seamus Collar, a survey technician with Barnard and Gervais. Seamus took this photo in June while setting a control point in a wooded area in Franklin, Vermont.

If you see any interesting scenes in your travels, or even everyday scenes that show the life of a surveyor, please snap a shot and send it to kelly@vsls.org.

PRESIDENT'S CORNER

Mark Day, L.S., VLSL President



It seems like life is almost back to normal these days, and I'm sure we're all enjoying moving about more freely. It's great news for traveling and getting together with friends, but it's also challenging since it's ushered in a more frenzied period in our professional lives. Considering where we were at this time last year, though, I'll take it.

Earlier this summer, the Executive Committee had the pleasure of reporting that VSLs has updated the *Vermont Survey Law* manual, a project that's been on our to-do list for quite a while. We would like to thank Honorary Member Paul Gillies, Esq., for creating an engaging online manual with links to laws, essays, and other resources, and Kelly Collar for putting it together in a professional format. If you haven't checked it out yet, you can find it on our website under "Resources." We think it will be helpful to both members and the general public for many years to come.

As for future priorities, we would like to encourage more land surveying students to apply for the VSLs Education Foundation's

annual scholarship. We haven't receive any applications for two years, and we would love to see that \$2,000 award go to some deserving students. If you have any ideas on that front, please let me know.

On the immediate horizon is our annual Fall Conference, which will be held (in person!) at Okemo Mountain Resort on Friday, September 17. You can register online at vsls.org or mail in the form on page 23. I look forward to seeing you all there.

Until then, enjoy the summer and our return to normalcy, and stay well. 🍷



Sincerely,

Mark Day

VSLs PRESIDENT

Vermont Survey Law Manual Updated in New Digital Format

Originally written in the 1990s, the Vermont Survey Law Manual has been recreated as a helpful online resource. To find the new manual and links to related information:

➔ vsls.org » resources » surveying laws & publications

Remember to Submit PDFs of Surveys to Vermont Land Survey Library

New surveys of boundary line adjustments and subdivisions should be uploaded to the Vermont Land Survey Library, per 27 V.S.A. § 341. To submit a survey, go to:

➔ maps.vcgi.vermont.gov/landsurveylibrary

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BY GAYLE BURCHARD, VERMONT NSPS DIRECTOR



The NSPS annual meeting will be held at the Hyatt Lodge in Oak Brook, Illinois.



What's New with NSPS?

The National Society of Professional Surveyors (NSPS) will be meeting for its 40th anniversary September 23-25 in Oak Brook, Illinois. I'm happy to report that I'll be attending this meeting as Vermont's NSPS Director; this is especially exciting since the last time we met in person was the 2019 Fall Meeting in Orlando, Florida. This meeting will kick off with a golf outing on Wednesday, September 22.

Our Meetings have been Go-to-Meetings, which, while productive, are not nearly as fun as in person. It will be fun to see old friends again and to meet new people that have been voted in during the pandemic.

Major articles were tabled until we could meet in person. One of the issues that we will be discussing will be establishing an Emeritus Position for Curt Sumner. My committee

(Public Relations) will be discussing ways to make the public more aware of the surveying profession. This is a large challenge, with so many different social media platforms and the cost of advertising nationally. If anyone has any ideas that they would like to pass along – feel free.

NSPS has a committee on the Certified Flood Plain Surveyor, and this committee will be discussing using LiDAR to establish flood elevations for building in zones AE.

This being the 40th Anniversary of NSPS our meeting will be slightly different with a dinner cruise on Thursday, workshops, a reception and silent auction on Friday.

I'll have much more to report after September. Until then, enjoy the rest of your summer. 🌍

Gayle Burchard

VERMONT NSPS DIRECTOR

GOLF, ANYONE?

Jon Warren, the NSPS Political Action Committee (PAC) Chairman, has challenged the states to participate in the golf outing. He would like us to:

- Field at least one person or a foursome from our state; or
- If we don't participate in the golf tournament, then consider a sponsorship;
- If a state exceeds the contribution from Washington State (\$1,000), Jon will sponsor a round of drinks at the meeting.

I know some of our members are not supportive of the PAC, so I will not ask VSLS to donate, but if there are any individuals out there that would like to play golf or be a sponsor, please give me a call and I can get the forms to you: 602-547-0590.

The Flower Pot



BY SCOTT TAYLOR, L.S.

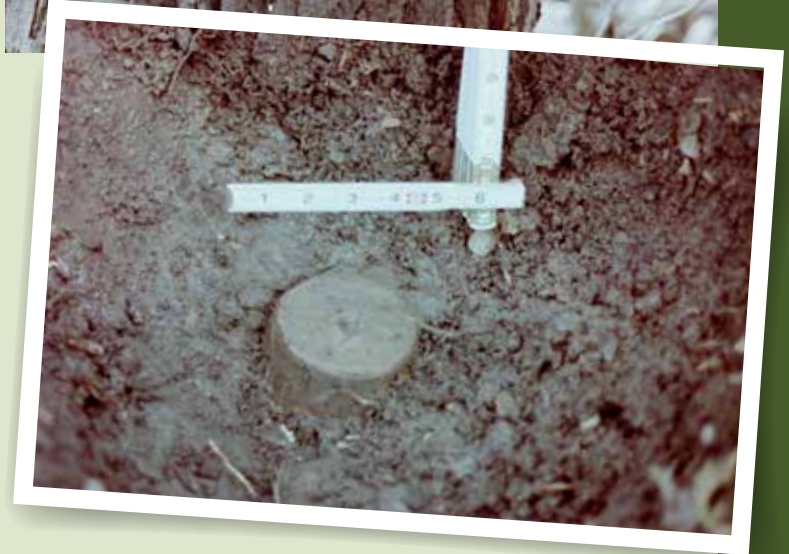
Reading Harris Abbott's article in the spring *Cornerpost* on trying to find an old bottle reminded me of a time I was looking for an unusual marker.

In 1978, my employer Trudell Consulting Engineers was hired to subdivide a large piece of land on the northern tip of Grand Isle.

One of the first things I did on new jobs was to check to see if there were any horizontal or vertical control points nearby that I could use on the project. I was surprised to find that there was a horizontal control point right on the property (PID-PG1907). I was even more surprised when I read the description of the mark, "a hole in the bottom of an inverted flower pot." The mark had been set by the U.S. Lake Survey in 1871. There was a distance from the top of the bluff above the lake and distances from three triangular shaped blazes in basswood trees.

We did a search in 1978 when we started our field work and didn't find the mark. In 1980, after doing the traverse and topo work, we were able to narrow the search area down. Returning to the site with my two assistants, Doug Bicknell and Tom Wawrzeziak, we went to the area where we believed the mark to be located.

Starting with the distance from the bluff, we spread out and soon discovered a large tree with an easily recognizable triangular shaped blaze. Not being an expert on dendrology, I don't know if this was the original blaze or if it had been redone in 1929 when the mark was



I was even more surprised when I read the description of the mark, "a hole in the bottom of an inverted flower pot." The mark had been set by the U.S. Lake Survey in 1871.

recovered by the U.S. Lake Survey.

Soon after, we found another one. Using these we started carefully digging, and sure enough, down about six inches there was the bottom of a clay pot! I've often wondered why the federal survey crew decided to use the flower pot for the mark. Did they just find it lying around near where they were going to set a mark? It certainly has turned out to be pretty stable and permanent. After taking these pictures, we covered it back up, and as far as I know it is still there to this day. 🌱



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BELGIAN FARMER ACCIDENTALLY MOVES FRENCH BORDER



Surveying Program Wins Top Award

The University of Maine's Surveying Engineering Technology program recently received the \$25,000 grand prize for NCEES's 2021 Surveying Education Award.

The award recognizes surveying and geomatics programs that best reflect NCEES' mission to advance licensure for surveyors in order to safeguard the health, safety, and welfare of the public.

Other, smaller awards went to universities including Ferris State, New Mexico State, Nicholls State, Florida Atlantic, North Carolina Agricultural and Technical State, and Oregon Institute of Technology.

SVT Program Recognized as Best in Nation

UMaine's Surveying Engineering Technology program has received the #1 ranking for accelerated online bachelor's degree programs in the United States. The website bachelorsdegreecenter.org ranked the top 10 programs for 2020, and UMaine rose to the top through a combination of speed, flexibility, and its focus on physical science and integrated skills designed for students who enjoy outdoor activities.

JEAN-PIERRE CHOPIN



A farmer in Belgium caused a stir recently after inadvertently redrawing the country's border with France.

A local history enthusiast was walking in the forest when he noticed the stone marking the boundary between the two countries had moved 7 ½ ft.

The Belgian farmer, apparently annoyed by the stone in his tractor's path, had moved it inside French territory. Instead of causing international uproar, the incident has been met with smiles on both sides of the border.

"He made Belgium bigger and France smaller; that's not a good idea," David Lavaux, mayor of the Belgian village of Erquelinnes, told French TV channel TF1. That sort of move causes a headache between private landowners, he pointed out, let alone neighboring states.

The border between France and what is now Belgium stretches 390 miles. It was established under the

Treaty of Kortrijk, signed in 1820 after Napoleon's defeat at Waterloo five years earlier. The stone dates back to 1819, when the border was first marked out.

"I was happy, my town was bigger," the Belgian mayor added with a laugh. "But the mayor of Bousignies-sur-Roc didn't agree."

"We should be able to avoid a new border war," the amused mayor of the neighboring French village, Aurélie Welonek, told *La Voix du Nord*.

Local Belgian authorities plan to contact the farmer to ask him to return the stone to its original location. If that doesn't happen the case could end up at the Belgian foreign ministry, which would have to summon a Franco-Belgian border commission, dormant since 1930.

Mr Lavaux noted that the farmer could also face criminal charges if he failed to comply. "If he shows good will, he won't have a problem, we will settle this issue amicably," he told Belgian news website *Sudinfo*. 🌍

Reprinted from the BBC News website, May 5, 2021

THE TRILOGY THE TRILOGY THE TRILOGY

of Rogers Rangers Cemetery in Granby, Vermont

BY ANDREW DUSSAULT, L.S.

August 17, 1984 is the date that Holiday in the Hills, Inc., of Granby, Vt., was deeded (book 13, pg. 343) a 21-acre parcel of land that included the Rogers Rangers Cemetery. The parcel was based on a compass and tape survey dated April 1977.

My first visit to the cemetery was in 1963 or 1964, and in 1965, my wife and I visited the site again with my U.S. Navy shipmate, Doug Britt. We had served together on the USS Plymouth Rock LSD-29 in the early sixties. Doug provided the picture showing the bronze plaque that was installed during the late fifties or early sixties. According to Bob Peters, who is instrumental in this story, the plaque was made by Bob Lance, of “transportation,” and installed by Lance and Melvin Tucker.

Imagine my excitement when Bob Peters asked me to survey a proposed 1 1/2-acre lot for the Rogers Rangers Cemetery out of the interior of the original 21-acre parcel. The initial survey work was conducted by Craig Weston (Ken Weston’s son) and myself in 2014. Following negotiations with the owners, Craig and I located the monuments created by Mr. Peters on May 18, 2015. The corners are all marked by large boulders set in depressions that Bob created with an excavator. These depressions improved the stability of the boulders. Then a large-wheeled generator system was used to power our drill for the holes



that allowed the 5/8-inch diameter reinforcing rods to be set into the tops of the four boulders at a depth of six inches.

On Nov. 2, 2015, the Victory Granby Holiday in the Hills Historical Preservation Group, Inc., conveyed (Book 19, Page 35) to Robert Peters and Ernest Gaskin the remaining 19 1/2 acres surrounding the 1 1/2-acre cemetery site. The original Holiday in the Hills, Inc., had conveyed to the above named “group” on June 15, 2015. Refer to Book 19, Page 27.

Why is this writing a trilogy?

First: The Fall 2019 issue of *The Cornerpost* has an article by Byron Kidder showing the cemetery, the roadside marker and the back of the aforementioned bronze marker set about sixty years earlier. Take note of how much the bronze marker has aged over the six decades since Doug Britt snapped the 1965 photo.



Second: The Summer 2020 issue of *The Cornerpost* has a “Random Note” by Scott Taylor depicting one of the boulders, which I believe is at the northwest corner. Thank you, Scott for the “call out.” Must be that Byron didn’t see the boulders.

Third: And now, here in 2021, the piece you are reading. It makes a few years I’ve wanted to write about this project, and finally Byron and Scott gave me the impetus to do so.

I believe that the land surveyors who love the profession have had projects that continue to be etched in their “favorites” memory. This is one of those for me.

Bob Peters deserves accolades for creating these tremendous property corners. They are much different from some of the loose, short pipes and reinforcing rods I’ve seen over the years. He and his wife operate Peters Construction Consultants, Inc. out of Granby, Vermont, a short distance up Porrell Road from Rogers Rangers Cemetery.



Continuing beyond Rogers Rangers Cemetery and Peters Construction Consultants, Inc., office, you'll arrive at the Appleton Cemetery, formerly known as Granby Hill Cemetery. According to the Burial Grounds of Vermont, the first burial at that location was in 1835.

A visit to this area of Vermont has many fabulous sites and views to observe. On the beautiful spring

day of April 8th, this year, my wife and I enjoyed our picnic lunch on the table next to the pavilion. 🌲

P.S. If the border is open in October, Bob Peters and I will be headed for another Newfoundland moose hunt. Our first trip was in 1969.

DAY, SEPTEMBER 26, 2014

A5

GRANBY

ROGERS RANGERS HISTORICAL DEDICATION SUNDAY

Rangers' Raid In 1759 Protected Essex County Settlers

BY JAMES JARDINE
Staff Writer

A dedication ceremony of a Vermont Roadside Marker at the site of the Rogers' Rangers Cemetery in Granby will take place Sunday.

The event commemorates the deaths of two Rangers who were part of a famous raid on the St. Francis encampment in Quebec in 1759.

The encampment had been the source of murderous American Indian raids on early settlers in the Northeast Kingdom. The Rangers raid was an effort to wipe out the threat to people living in the area known now as Essex County.

Allen Hodgdon, Guildhall, says the 1759 battle against the natives in what is today Quebec was early American history during a period before the Declaration of Independence or the formation of the states.

Sunday's event begins at the Granby cemetery at 10:30 a.m. A stone cairn marks the graves of two of Rogers' Rangers who died during the French and Indian War and are buried in Granby. According to Hodgdon, a local historian, Rogers' Rangers was a provincial company from New Hampshire who were attached to the British Army during the French and Indian War. In the St. Francis Raid, the Rangers were ordered to destroy the Abenaki settlement.

Hodgdon has read that the settlers in the area were attacked by the natives who destroyed their homes and kidnapped women. The Rangers raid eliminated the threat to settlement of the area and allowed settlement of the territory to take root.

On the return from the St. Francis raid, the Rangers ran low on food



The Roger Rangers marker and cemetery in Granby will be the site of a dedication ceremony on Sunday.

and supplies and decided their chances of finding food and surviving was greater if they broke into smaller groups. Five of the Rangers formed one group and ended up in the forests of Vermont and New Hampshire. Near starvation, the five rangers shot and wounded a moose, but were too weak to track it. Three rangers came across the wounded moose under attack by wolves. The wolves attacked the rangers and killed one of the three and wounded the other two, who crawled off but died in what is now Granby.

The cemetery is located on Porrell Road about one half of a mile up from the intersection of Granby Road. The cemetery holds a square stone cairn surrounded by a split-rail fence just past one of Granby's log cabins across the road.

Hodgdon says an interesting aspect of the Rogers' Rangers historic saga is that at the time of the St. Francis raid, Vermont was "infested with wolves." Hodgdon said he's found Guildhall Town Clerk records that record paying a bounty on the

ears of wolves taken by hunters and trappers. The ears were turned in when the bounty was paid to prevent a settler from taking the same wolf's head from one town to another and collecting twice.

Lt. Cole Halton of the Queen's York Rangers from Toronto, Ontario will be present for a laying of the wreath a historic marker. A Fife and Drum Corp will be present and a bagpiper will play music during the laying of the wreath. Casey O'Hara, a retired U.S. Army Ranger, will give an address on how the Rogers' Rangers military tactics are still used by U.S. Army Rangers today. Caledonia-Orange State Senator Joe Benning will be present and will speak.

Coffee and muffins will be served at 8 a.m. at the town hall. A church service begins at 9 a.m. at the Granby Church. Following the service, those in attendance will move to the Rogers' Rangers Cemetery on Porrell Hill. There will be a pot luck lunch at the town hall following the ceremony.

Photos: 1) Bronze plaque at the cemetery, 1965; 2) Rogers Rangers Cemetery in January 2016; 3) The southwest corner in the foreground, with the pavilion and northwest corner beyond, April 2021; 4) Andy Dussault (left) and Bob Peters at the northeast corner, April 2021.

THE ORIGINAL SURVEY:



Vermont's Take

Actual location upon ground of original lot lines will control, if capable of being ascertained.

- NEILL V. WARD, 103 VT. 117, 153 A. 219 (1930)

A decision that should be required reading for all surveyors in all jurisdictions, and should be intimately familiar to Vermont surveyors, is the above. There are 34 principles recited by the court, too numerous to be included here, any one of which could be developed into a brief, or not so brief, treatment. The case dealt with retracing and locating original lot lines in a rectangular layout of the town of Moretown. It was an action of alleged trespass and timber cutting, which involved the location of the boundary between lots 59 and 60 in the first division of lots.

PRINCIPLE

Actual location upon ground of original lot lines will control, if capable of being ascertained.

This statement is the guiding light, the location on the ground of the original lot lines, if able to be ascertained. In most cases ascertainment is possible, even though it may be difficult and time-consuming. This is the location of the original survey, regardless of what later maps and descriptions might lead one to believe. Maps are pictures of surveys, and a written description is a third generation narrative of what the property is supposed to look like. It is sometimes mind-boggling why people put so much faith in such descriptions, since the numbers all contain error and have been adjusted to fit (one might say “fudged”) and in most cases the origin of the written description is unknown.

PRINCIPLE

Town plan and description of lots in field book, held admissible on offer to show that lot lines of certain lots, as actually surveyed and marked on ground, were substantially as described in field book.

It all comes down to the evidence. Towns that were laid out, as most of them, if not all of them, were generally done by survey, with records kept in the form of proprietors’ accounts and field notes of the work on the ground. Evidence of this nature has been held by the court system to be admissible, so long as it is relevant, the two criteria for the use of evidence in testimony. Unsurprisingly, the field book descriptions and what was later found on the ground, were substantially in agreement. This attests to the good quality of the work done for the original survey. Even if of poor quality, since it is original land creates the original source of the title, it likely would still control, although difficult to work with. Such is generally a rare case.

PRINCIPLE

Presumption is that committee, chosen by proprietors to lay out and survey lots under charter giving committee authority to make allowances called for by it in their layout and survey, made all allowances permitted by law, and that same are included in lines of lots as shown by town plan and described in field book.

Basic presumptions, unless shown otherwise by stronger evidence, are numerous and include proprietors doing their job as directed, surveyors doing their work correctly, and that rules and laws were followed. In this case, the plaintiff's surveyor, Percy G. Smith, was retained to locate the dividing line between lots 59 and 60. He testified that it appeared that in the papers of the Surveyor General of 1784, "that in perambulating or running town lines throughout the State, one thirtieth part be allowed for swag of chain," and that the lots he measured figured that way.

This is one of the trickiest parts of measurement analysis. Allowances for a variety of things were commonly applied: unevenness of ground, swag (sag) of chain, poor quality land, wetlands among others. Without field notes, a journal, or a return of survey, it is difficult, sometimes impossible, to determine what was done in this regard. Surveyor Smith applied his theory of allowance as directed by the Surveyor General to the evidence found on the ground, determining that it compared favorably.

PRINCIPLE

Where description in deed of lot is by reference to its number, lot lines, if surveyed upon ground, serve as monuments in fixing boundaries.

Many, probably most, of the lottings in the northeastern colonial states resulted in land records citing merely a lot number, sometimes within a particular division. Since the lot is identified, a plan, survey, and field notes are implied and part of the description. This is a perfectly acceptable method of description, and as the court stated, such reference results in the lot lines as surveyed on the ground, being classed as monuments. This is a very important concept, since monuments, in the overall scheme, are items of the highest dignity.

PRINCIPLE

When lines have never been surveyed, or, if surveyed, their location upon ground cannot be ascertained, but lines have been actually run and marked upon ground, and have been recognized as correctly located for more than 15 years by all parties in interest, such actual lines and monuments, marked upon ground, constitute survey, and will control courses and distances named in the original layout.

Once again, the actual survey is paramount and controlling. If lines have not been surveyed, which does occur although rarely (such as in the case of protraction) or when their location cannot be determined, when lines have been marked on the ground and recognized by all parties in interest, they are equivalent to the survey and are controlling. They also control the measurements recited in the original layout, as well as subsequent definitions of their location(s).

Through this case, and those cited within, the Vermont courts have been very clear as to what is controlling and what is proper procedure.



“It is enlightening how much emphasis the court has placed on the original survey. This emphasis is by no means confined to Vermont, as some variation of its importance is found in nearly every jurisdiction.”

PRINCIPLE

All lands are supposed to be actually surveyed, and where deed describes lot by its number, intent is to convey land according to that actual survey.

One of the most important concepts of all is that all lands are supposed to have been surveyed, and even though the description is merely by lot number, the paramount consideration, that of the intent (of the description), is to honor the original survey. Since “all lands are supposed to have been actually surveyed,” the presumption has to be that there is, or was, an original survey available, or, if destroyed or lost, the previous principle would suffice.

PRINCIPLE

In such action, plaintiff, in measuring lots according to their descriptions in field book, held confined to courses and distances of lot lines as actually given in book, plus an allowance of one unit in thirty for swag in chain.

In summary fashion, this court has emphasized that in an action of this nature, when measuring according to the field book descriptions, no deviation is allowed from the measurements, since they constitute the lot represented by the work on the ground, factoring in the allowance. As with a deed, extrinsic evidence may be brought in to explain or clarify, so long as it does not add to, subtract from, modify or contradict what is said in the original description. It says what it says, it cannot be changed for convenience or to satisfy someone’s preconceived notion.

PRINCIPLE

Adjoining lot owners may by recognition and acquiescence in marked line as true dividing line between such lots establish division line of their lands, which will be binding upon them and their privies.

Those relying on the original survey, through recognition and acquiescence, may accept the marked line as the true dividing line. When they do, it is therefore binding on them, and their successors in title.

It is enlightening how much emphasis the court has placed on the original survey. This emphasis is by no means confined to Vermont, as some variation of its importance is found in nearly every jurisdiction. While there are a number of instructive decisions from a variety of jurisdictions, this Vermont decision stands out in the presentation of important principles, in addition to providing guidance for the retracement of rectangular surveys (lottings) in Vermont and wherever found in the colonial system.

Personally, I have never, in nearly 60 years of practice, seen a boundary problem that could not be resolved. Some are not resolved because of the lack of one or more of the three requirements: sufficient time, sufficient funds, or sufficient resources. Which means, of course, that boundary determination is possible in most, if not all, cases. Just remember, “impossible” is an opinion, not a fact. 🌍



Don Wilson is a Life Member of VSL, a frequent contributor to *The Cornerpost* and has given numerous presentations to VSL membership. He recently completed a full length treatment, *The Original Survey, Recognition and Significance*, which he expects to see published later this year. The text details why the original survey is needed and how to acquire it.

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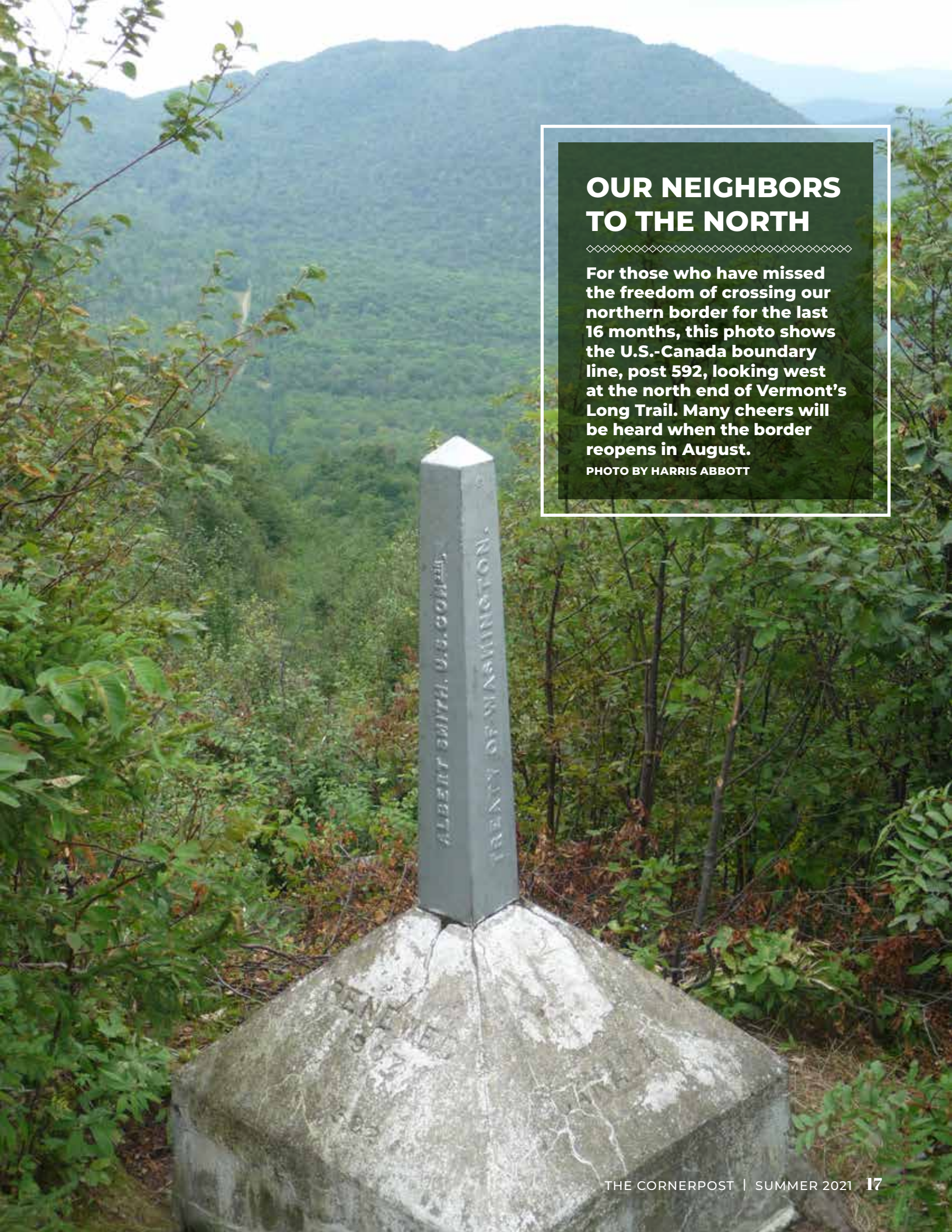
BEAVER ACTIVITY?

Joe Flynn, L.S., sent in this panoramic, spring-time photo of Seth Kittredge, L.S., at a site near Brigham Hill in Essex. The bottom version gives the full view of a local beaver's handiwork.



ANOTHER DAY AT THE OFFICE

Barnard and Gervais survey technicians Seamus Collar and Samuel Lagasse work on a lakeside job in Alburgh in late June. Above, a rock found in their travels along the shoreline reveals a fossilized trilobite.



OUR NEIGHBORS TO THE NORTH



For those who have missed the freedom of crossing our northern border for the last 16 months, this photo shows the U.S.-Canada boundary line, post 592, looking west at the north end of Vermont's Long Trail. Many cheers will be heard when the border reopens in August.

PHOTO BY HARRIS ABBOTT

February 18, 2021, 6 p.m., Zoom Videoconference

The meeting was called to order at 6:03 P.M. In attendance were Mark Day, Nate Yager, Becky Gilson, Lisa Ginett, Keith Van Iderstine, Randy Otis and our Administrator, Kelly Cochrane-Collar. Absent: Paul Hannan.

Secretary's Minutes

Minutes for the Executive Committee meeting for Jan. 21, 2021 were reviewed. A motion was duly made and seconded and the vote was unanimously: to approve the minutes of the Jan. 21, 2021 Executive Committee meeting.

Treasurer's Report

Treasurer's report for the period Jan. 1 to Feb. 18, 2021: total income for the period is \$16,882.50, total expenses are \$6,220.35, for a net income of \$10,662.15. The bank account total is \$67,162.65. Keith notes that there have been a fair amount of donations made, mostly through PayPal, which are all going to the Education Foundation because that is the only option on the donation page. Kelly will make an adjustment so that people can choose whether to donate to the Education Foundation or the VSLs General Fund. VSLs will make a donation to the Hinesburg Recreation Department in Terry Harris's name.

Administrator's Report

Kelly reports that she is about to start working on "The Cornerpost" and will send out an email to try to get some articles and photos. The Program Committee has chosen

to present the Spring Seminar using Go To Webinar. Lake Morey is apparently closed right now. The Spring Seminar will be held on the planned date of April 16 using the same presenters. Plans are underway for the Fall Conference. So far the plan is for a presentation on GPS Benchmarks by Dan Martin, Paul Gillies presenting on Town Roads, and a presentation on Geodesy 101 by an Alfred State Professor.

Becky started working on the scans of the Vermont Survey Law Manual and found that the scans had major formatting issues. The scan of the document was rife with unpredictably-sized text boxes that made editing the scans extremely difficult. Kelly contacted former VSLs Administrator Susan White, along with several of the people who wrote the original manual, but so far no one has a record of where the digital manual might be stored. We may need to retype the entire manual in order to do an update, and Mark's sister is a court stenographer and might be interested. Before we go to the trouble and expense of having it retyped, however, Kelly will contact Paul Gillies and make sure he needs the old manual in a digital format.

There being no other business, the meeting was adjourned at 6:20 PM.

Respectfully submitted,
Lisa Ginett, VSLs Secretary

May 20, 2021, 6 p.m., Positive Pie, Montpelier

This was our first in person meeting since February 2020. The meeting was called to order at 7:19 P.M. In attendance were Mark Day, Randy Otis, Nate Yager, Lisa Ginett, Keith Van Iderstine, Becky Gilson, Paul Hannan and our Administrator, Kelly Cochrane-Collar.

Secretary's Minutes

Minutes for the Executive Committee meeting for March 18, 2021 were reviewed. The motion was duly made and seconded and the vote was unanimously: to approve the minutes of the March 18, 2021 Executive Committee meeting.

Treasurer's Report

Treasurer's report for the period of Jan. 1 to May 11, 2021: total income for the period is \$28,810.82, total expenses are \$17,344.16, for a net income of \$11,476.66. The bank account total is \$66,830.83.

Administrator's Report

Kelly reports that currently the plan is to have our Fall Conference in person at Okemo Mountain on September 17. The presentations will be the same as appears in the March minutes.

The group discussed the subpoena that VSLs received for certain scans of plats. As this was a subpoena and not a request, we were unable to ask for any recompense for the time spent producing the requested scans. Kelly noted

that the scans were not very legible, after which a brief discussion ensued as to the whereabouts of the original maps that were scanned. It is known that active or still living surveyors that allowed their plats to be scanned had them returned, but it is unknown where the others might be. Kelly noted that on the VSLs website there was a public page that discussed the available scanned plats, but that she has moved that information to a members' only page.

It was announced that Paul Gillies had completed his work to update the Vermont Survey Law Manual. The new manual provides links to websites that contain the various statutes and case laws regarding all of the previously included survey issues. The group wanted to find a fitting gift to thank him and talked about various ideas. In the meantime, Kelly will send him a Vermont gift basket.

The VSLs office received an inquiry from an ex-military person to be able to apprentice with a surveyor, perhaps through a Veterans Administration program. Kelly wondered if there was a way we could get involved in providing apprenticeships to people who are interested in land surveying. This will be an ongoing discussion.

There being no other business, the meeting was adjourned at 7:41 PM.

Respectfully submitted,
Lisa Ginett, VSLs Secretary

March 18, 2021, 6 p.m., Zoom Videoconference

The meeting was called to order at 6:04 P.M. In attendance were Mark Day, Randy Otis, Lisa Ginett, Keith Van Iderstine, Becky Gilson, Paul Hannan and our Administrator: Kelly Cochrane-Collar. Absent: Nate Yager

Secretary's Minutes

Minutes for the Executive Committee meeting for February 18, 2021 were reviewed. The motion was duly made and seconded and the vote was unanimously: to approve the minutes of the February 18, 2021 Executive Committee meeting.

Treasurer's Report

Treasurer's report for the period of January 1 to March 16, 2021:

Total income for the period is \$18,932.74 Total expenses were \$8,936.68 for a Net Income of \$9,996.06. Bank Account Total = \$65,857.27. Keith notes that there have been about 62% of dues remitted so far this year.

Administrator's Report

Kelly reports that "The Cornerpost" has been printed and that she mailed about half of them out today and the remainder will go out tomorrow. The Spring Seminar webinars are confirmed for April 16, with no change in presenters. The Fall Conference will be held at Okemo Mountain on September 17. There will be a two-hour presentation entitled "Geodesy 101" given by Nicholas Ford of Alfred State College, a two-hour presentation by Fred Anderson and Jim Murphy on Railroad mapping which will include 4 large tables of Railroad maps for members to view. The afternoon session will include a two-hour presentation by Dan Martin on OPUS/OPUS Share, and a one-hour session by Paul Gillies on Town Highways. Paul Hannan just heard about a case regarding a Right-of-Way that was lost after 40 years of disuse and an apparent lack of ability to see the ROW on the ground. He suggested that perhaps Paul Gillies could bulk out his presentation to two hours by adding this topic.

Mark asked whether there was a scheduled business meeting at the Spring Seminar or if we needed to have one. It was decided that there was no reason for a business

meeting and there was not enough time scheduled for lunch to include one.

Policy for Scanned Surveys:

As there had been various emails about this topic it was added to our meeting agenda. Kelly has had three requests so far for some of our newly indexed map scans. All three requests were not from our members (not even from surveyors) and Kelly was asked by one person if they could become an associate member to get access to the plans. After a fair amount of discussion as to the intent of the program, Paul Hannan made a motion that "the intent of the program is to provide access to the scans to any licensed surveyor who is members of VSLS". The motion was seconded and the vote approved that definition of who gets access to the scans.

Terry Harris's Flat Maps:

Terry Harris's widow Mary Beth has donated Terry's maps to VSLS as part of our scanned plats. The physical plats will be given to Len Amblo. A lively discussion ensued as to how we could get the 300-400 maps scanned without undergoing the large cost typically \$5.00 to \$15.00 per scan. Various ideas were put forth as in this day many of the larger firms have large size scanners in their offices. We discussed doing a portion of the maps each year until there were all scanned, but one large concern appeared to be naming the files. We are hoping that Scott Taylor will help update and maintain the wonderful index that he has already completed for our other scans, and if he is willing, we would need to have a protocol for how to name the files so that they fit into the index system. The group discussed possibly dividing the plats among several people for scanning, but eventually decided that was too complicated and could result in lost scans. We will continue to discuss the scanning process going forward.

There being no other business, the meeting was adjourned at 6:20 PM.

Respectfully submitted,
Lisa Ginett, VSLS Secretary



MAPS AVAILABLE

We have thousands of scanned surveys available exclusively to our members who are licensed in Vermont. To search the index of surveys:

- Go to vsls.org
- At the top, select "member login"
- Enter the password: [vslsmember](#)
- Search the index and send a request for a PDF to kelly@vsls.org. In most cases, you'll have it within hours.

Wildlife

by DICK BOHLEN,
VT L.S. #7 (1926-2020)

“All of a sudden, we startled a moose that scampered off a little way and stood watching us. Not a normal reaction for a moose! Funny that she is still around and not well on her way to other parts.”

There are a lot of things of interest that you can see in the woods that you won't see if you stay on the blacktop.

We were doing survey work in the back woods of Greensboro, when we were startled by the strangest bird that we ever saw! Looked big for a bird, and pretty cumbersome. Funny too that it didn't gain any altitude. Closer inspection revealed that it was a flying squirrel! Never saw one of those before, and only in Greensboro. Strange animal, but fun to watch gliding, circling, losing altitude and landing on a tree or on the ground.

Years later found Bob Hovey and I working on a couple hundred acres that bordered Levi Pond in the Town of Groton. It was a sunny day in early spring, no snow, and we had my faithful dog, Tippy, with us. He was a black Labrador Retriever, and a great companion that ranged in the woods around us. We came to attention when Tippy started barking the bark of discovery! What's

he got? Please not a hedgehog! Well, we have to go see! Lo and behold, it turned out to be a newborn fawn! Pretty little thing, barely able to walk, just sitting there watching us. We got Tippy away and went back to work quickly, expecting the mother doe to return to her offspring.

We returned to Levi Pond years later to do a survey for the Vermont Department of Forest and Parks. This was on the other side of the Pond, and I was told that the parcel contained the northernmost growth of wild Rhododendron in the country. That's why the State wanted the lot. Never saw it in bloom, but those that have say that it's pretty spectacular. I did sneak under the bushes when we did the work...Wow! Another world under there!

Another later early spring found me on a job that was off the Mountain Road in Peacham. I was with the land owner as he showed me his boundary lines as best as he knew them. About a 70-acre tract. We were finished with our scouting, and heading “cross-lots” toward our car. He had two dogs with him that he was keeping for a neighbor.

All of a sudden, we startled a moose that scampered off a little way and stood watching us. Not a normal reaction for a moose! Funny that she is still around and not well on her way to other parts. So, we held the dogs, and cautiously approached the spot where we first saw her. That was the right thing to do, because we came upon a baby moose, and I mean baby. Just born! The umbilical cord still attached! In my mind's eye, I can still see that baby on its haunches, big ears sticking up, and big eyes watching us. We got those dogs got right out of there and hoped that the mamma would forgive us for intruding.

That was a once-in-many-lifetimes experience! You see a lot of interesting things in the woods of the Northeast Kingdom! 🌲



Martin Hanley • VT L.S. #246

April 25, 1937 - May 8, 2021

Martin “Charlie” Hanley passed into the next phase of his journey on May 8, 2021, some 15 years after receiving a diagnosis of Parkinson’s disease. Martin (he chose the nickname “Charlie” at a young age) was born in Cortland, New York, in 1937, and lost his father, Ray, at the age of 5, growing up in Vestal, New York, outside of Binghamton, with his intrepid mother, Grace, and industrious older brother, Robert.



He was proud of starting Vestal Central High School’s first riflery and target-shooting club, and he won awards in competition. He

was accepted at Harvard, but chose instead Hamilton College in Clinton, N.Y., where he founded Hamilton’s Outing Club, met his eventual bride of 62 years, Jane Crouch, and graduated in 1959. Charlie and Jane raised a son and daughter, Terry and Jennifer; and more recently, four grandchildren, William and Abigail Hanley, and Finn and Erin Kate Hanley McKitterick.

Dad built things with his hands and with a flair for engineering innovative, quirky, and useful items and designs; one of his favorite college adventures was building a house truck with a couple college buddies and driving out west with them one summer. In 1957, as a 20-year old entrepreneur, Dad bought a large lot in Bomoseen, Vt., and built Bomoseen Golfland, which he and Mom ran for nine years. People still remember the snack bar treats, the double-deck driving range and the humorous radio ads they performed. During the winter months, Dad started out at the food concession at the fledgling Killington Ski Area, and worked his way up to assistant VP. Dad designed and built two houses; most notably, a giant log cabin in Killington looking out at a stunning mountain vista centered on the ski area – his ultimate happy place.

He left the corporate world in 1968 in order to raise his kids and “on the side,” he created Environments, Inc., a land development and consulting business through which he created thoughtful and innovative residential neighborhoods. When Act 250 came along, Dad painstakingly learned the complexities of the regulations and requirements and for decades, helped clients design and build their dream homes to fit the laws while never compromising on aesthetics. He was a licensed land surveyor and a member of the Vermont Society of Land Surveyors for more than a decade.

A time of remembrance was held in June at Grace Congregational Church, and a memorial celebration is planned next summer. In lieu of flowers, please consider donations to Grace Congregational United Church of Christ and Sherburne United Church of Christ in Killington.



Attorneys with extensive experience in survey related issues including land and water boundaries, rights of way, easements, lakeshore protection and other land ownership and use issues.

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GIVE US A HAND!

Much of VSLS’s work is managed by a small group of volunteers. Please give us a hand, even if you have just a little time to spare. Email kelly@vsls.org to volunteer.



Fall Conference

Friday, September 17, 2021
Roundhouse at Okemo Mountain Resort
Ludlow, Vermont



7 PDH

**57th Annual
Conference!**

Conference Schedule

7:15 - 8:00 a.m.

Registration and Breakfast

8:00 - 9:50 a.m.

Geodesy 101

10:00 - 11:50 a.m.

Surveying Railroad Rights of
Way: A Historical Perspective

12:00 - 1:00 p.m.

Lunch and
VSLs Business Meeting

1:00 - 2:50 p.m.

OPUS / OPUS Share

3:00 - 4:00 p.m.

Private and Public Roads

4:00 p.m.

Final Announcements

Seminars

Geodesy 101

Presenter: Nicholas Ford, Alfred State College

What the heck is a geoid? What about an ellipsoid? Projections, how do they work? As GNSS continues to be a staple in the modern surveyor's diet, it becomes helpful, if not necessary, for users to understand what is going on "under the hood" of the coordinates they are determining. This course is designed to explain these concepts and how they relate to GNSS measurements. This course is designed to be both a refresher for individuals who have been acquainted with these ideas, and as an introduction to geodesy for individuals who feel totally lost when discussions of geoids and ellipsoids are present.

Surveying Railroad Rights of Way: A Historical Perspective

Presenters: William Fred Anderson and Jim Murphy

Two career "railroad guys" will discuss their work on the Central Vermont Railway and share historic railroad maps and VAL maps of Connecticut, Massachusetts, Vermont and Canada — a birds-eye view from the 1860s through the 1920s. Attendees will have an opportunity to peruse a large display of historic railroad maps and to learn from professionals who have made the history of the railroad their passion.

OPUS/OPUS Share

Presenter: Dan Martin, NOAA

The National Geodetic Survey's (NGS's) Online Positioning User Service (OPUS) provides free, easy access to the National Spatial Reference System (NSRS), by allowing users to upload their GPS data to the NGS to be processed by NGS computers. To use OPUS successfully, it is critical that users understand both the requirements for data input as well as the processing output. This course will describe the steps involved in processing data with OPUS and will explain the output so that users can better interpret and have confidence in the results. We will also go through the steps to "Share" your OPUS solution and will discuss the benefits of doing so.

Private and Public Roads

Presenter: Paul Gillies, Esq., Tarrant Gillies Richardson Shems

The law of property has been a rock since time immemorial. The fixed principles of easements have rarely been the subject of reform. That is, until recently, when legislation and caselaw have introduced new ideas about rights of access over roads. Suddenly ancient claims of access by private ways are limited, making access to landlocked land more difficult. Unmapped highways that are clearly observable on the ground did not suffer statutory discontinuance in 2015. These are big changes, deserving attention.

CONFERENCE FEES

	THROUGH SEPT. 3	AFTER SEPT. 3
Member in good standing of VSLs or kindred society	\$180.00	\$205.00
Life Member	\$135.00	\$160.00
Non-member technical staff (must be affiliated with member)	\$153.00	\$178.00
Group Rate (three or more from same firm)	\$153.00	\$178.00
Non-member	\$250.00	\$275.00

LODGING OPTIONS

Within 5 miles of Okemo

- Echo Lake Inn
- Main and Mountain Bar & Motel
- Governor's Inn
- Ludlow Colonial Motel
- Timber Inn Motel

On site, at the Jackson Gore Inn

Attendees receive 20% off the best available room rate at the time of registration.

- Call: **855-332-1601** from 10 a.m. - 7 p.m.
- Mention: Vermont Society of Land Surveyors 2021 or SOKVSL21.
- The cost will be charged to your card two days prior to your arrival. No cancellations or refunds within two days of your stay.

Presenters

Nicholas Ford, L.S., Alfred State College

Nicholas Ford is a licensed surveyor in New York State, as well as a full-time instructor at Alfred State College, where he teaches a variety of courses including courses specific to GNSS and geodesy.

William "Fred" Anderson, L.S.

Fred Anderson is a retired land surveyor and right of way consultant working in the field of railroad rights of way. Fred worked in the engineering department for the Central Vermont Railway for several decades before retiring in 1994. He also owned a land survey company from the 1960s to 1991. Earlier, Fred was a military department monitor, where he was involved in the maintenance of 27 armories. He served in the National Guard Army Reserves, including a two-year deployment, before retiring in 1984.

Jim Murphy, Railway Historian

A lifelong resident of St. Albans, Vt., Jim worked for many years with the Central Vermont Railway, beginning his career there as a telegraph operator. He also worked as a professional photographer for Mary Fletcher Hospital and WCAX-TV. In the 1970s, Jim became interested in the history of railroads in the New England states and began collecting anything related to railroads. Jim is connected with many museums here in Vermont and even Canada.

Dan Martin, Northeast Regional Geodetic Advisor at National Geodetic Survey

As the Northeast Regional Advisor, Dan instructs local surveyors, state and municipal agencies, and the geospatial community at large, on how to use and preserve the National Spatial Reference System, and provides liaison between

the National Geodetic Survey and the States of ME, NH, VT, MA, CT, RI, NY, and NJ, as well as other federal agencies. He has authored many papers and articles on geodetic surveying, and he has given well over 100 presentations and workshops throughout the Northeast and United States.

Paul Gillies, Esq., Tarrant Gillies Richardson Shems

Paul has been a partner in the Law firm of Tarrant Gillies Richardson Shems, LLP, since 1993, after serving 12 years as Deputy Secretary of State for Vermont. His practice involves most of the usual civil areas of law, including municipal, zoning and land use, property, appellate, and trial work. He has a special fascination for old roads, boundary lines, rights-of-way and other easements, and that special land where history collides with law.

TO REGISTER • Please return this form by mail or register online at vsls.org.

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The Cornerpost

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