



**State of Vermont**  
**Highway Division**  
219 North Main Street  
Barre, VT 05641  
**[www.aot.state.vt.us](http://www.aot.state.vt.us)**

[phone] 802-917-2458  
[fax] 802-828-3522  
[ttd] 800-253-0191

*Agency of Transportation*

December 13, 2021

Peter Elwell, Town manager  
230 Main St #108  
Brattleboro, VT 05301

RE: Response to Town's request to remove 10% local share for replacement of BR54 on VT Rte. 9

Dear Mr. Elwell,

I am writing in response to your letter received on November 24, 2021, requesting the Vermont Agency of Transportation (VAOT) pay 100% of the cost to reconstruct Bridge 54 on VT Rte 9 (TH 2) in Brattleboro. You made several points in your request and I agree with the importance of this highway with respect to trucking and regional significance. This section of highway does carry a high volume of traffic and as you pointed out is in fact higher than some sections of Vermont's Interstate system.

There are many miles of class 1 town highways on the National Highway system and VAOT supports towns maintaining these annually by providing funds for maintenance and upkeep. It is important to recognize the benefit of local control as these National Highway segments are within village settings and being able to permit work and construct street scaping is important to maintaining local character. The Structures section has constructed many projects on Class 1 Town Highways on the National Highway System and is set to construct two more structures next summer on Route 2 in Montpelier and Route 103 in Ludlow. In all cases the town has participated in the cost of the project.

The local share for work performed on any Town Highway is clearly outlined in Vermont State Statute. **19 V.S.A. § 302 Classification of town highways** provides the legal language for how town highways in Vermont shall be considered and managed. Section 309a is specific to the local share for work and exceptions to that share as it relates to bridge replacements and rehabilitations. Because terms of the local share are Vermont law, I am not comfortable waiving the 10% local share for the town of Brattleboro despite the traffic volume or regional significance of the route.

Thank you for your understanding and I invite you to review the section of **19 V.S.A. § 302**. The link provided will bring you to the section regarding bridge reconstruction and rehabilitation <https://legislature.vermont.gov/statutes/section/19/003/00309a>

Best regards,

DocuSigned by:

*Ann Gammell*

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Ann L. Gammell, P.E.

Highway Division Chief Engineer

cc: Yoshi Manale, Town Manager

