

## The Beginning of Roads (OCTOBER 2015)

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It’s hard to imagine roads without cars, but there was a time when this was just so. Roads were well-worn walking paths or rutted wagon trails directed by simple convention and manners. In the past, road longevity was dictated by a “use it or lose it” mentality – what worked was kept and maintained and what didn’t simply washed into the river below. Building a permanent road was an act of power, solidarity, and privilege. Think of the Romans in Europe, the Incas in South America, or perhaps a more relatable version, the Civilian Conservation Corps in America.

Without the backhoes and surface graders we use today, the legacy of the road began with simply a pick and a shovel. For the early settlers of Vermont, roads developed out of habit and necessity. Paths used to fetch winter ice or summer harvests turned into trails, which grew into roads. Use was dictated by necessity, and it was considered “un-neighborly” to restrict fellow citizens’ travel over private land when natural resources were needed. The practice of land easements for public rights of way became commonplace in New England, as did the ensuing battles over land tenure. In 1781, the first Highway Act was passed in Vermont declaring that any road not surveyed and mapped would be deemed unlawful.

Over the next century and a half, road networks grew by leaps and bounds, often at the discretion of the private landowner, until the state legislature intervened again. The first Vermont highway map, created in 1931, responded to towns’ needs for state aid to maintain this expanding network of roads. Lying in the depths of a Depression-era economy, the Agency of Transportation required towns to first make the hard call of deciding how many roads they were willing to maintain, alienating those who lived, farmed, or commuted on roads deemed too expensive to keep. Only those declared roads would be mapped, a move that would dictate town responsibilities for generations to come. In an informal but efficient way, many roads were “un-roaded,” either because no one lived along them anymore or because, quite simply, some places were just lousy locations to keep a road. Free from repeated cutting, grading, and shearing, these roads began to re-wild, growing birches in their ruts and blackberries along their banks, leaving only a depression, a survey post, or a story.

In Vermont, old roads are embracing new life. Act 178, passed in 2006, will wrap up its mission statement on July 1 of this year, preserving public access to roads that have gone unused for centuries. Towns were given a 10-year opportunity to document their “ancient roads,” sparking interest in the character-rich maps of a Vermont now long gone. Ancient Road committees, primarily made up of retired lawyers and town clerks, matched landmarks from dusty map to muddy land, often relying on houses, barns, and even legacy trees to guide them to their posts. In other states, rights to roads that go unused and unmaintained for years are ultimately forfeited to the surrounding landowner. In Vermont, the reverse is true: any road remains public until formally discontinued by the town. Act 178 exists to clean up the loose ends of any ownership disputes, clarifying the status of roads and trails within each municipality. While some landowners are understandably irked to learn of public trails running right by their homes, the rest of us can walk along and enjoy the view, even if it doesn’t belong to us.

by Joanne Garton