

Conservation Commission Meeting  
Thursday, May 1, 2008  
7pm - Waitsfield Town Office

Members Present: Elizabeth Cadwell, Mark Grosby, Paul Hartshorn, Phil Huffman, Ted Joslin, Leo Laferriere, Chris Loomis, Spencer Potter

Guests: Gary Kessler

### **I. Public Input:**

Gary Kessler, representing the Mad River Riders, presented his proposal for insurance coverage related to the trail management agreement for the Wu Ledges Town Forest and adjacent lands with public trails. The Mad River Riders biking club plans to use the same insurer as does the Vermont Mountain Bike Association.

Mark Grosby suggested that the MRR insurance needs to provide coverage only for trail maintenance activities. It is his understanding that the Town's Liability coverage should be adequate for general recreation purposes. Elizabeth Cadwell asked him to double-check with the town to ensure that higher risk activities such as mountain biking are covered.

Mark Grosby and Ted Joslin both reassured the group that Vermont's landowner liability statute clearly places responsibility on the user of recreation trails, and therefore assists in the protection of both private and civic land owners.

Phil Huffman recommended that all trail work should be done in conjunction with the Mad River Riders since they will hold the additional trail maintenance liability insurance.

Phil will email the Conservation Commission members a current copy of the trail map.

**Action Item:** Mark Grosby will review the Town's Liability policy and determine if coverage is adequate.

**Action Item:** Phil will email the Conservation Commission members a current copy of the trail map.

### **II. Commission Structure:**

Mark Grosby presented a letter stating his intention to resign from the CC in July. The CC expressed their appreciation of his work, and will work with him to finish several projects prior to his departure.

Phil Huffman suggested creating a Vice-Chair or Co-Chair position to increase efficiency and to decrease the workload of the Chairperson. Paul Hartshorn motioned to approve this idea, and Chris Loomis seconded the motion. The motion was approved by all in attendance.

Paul Hartshorn made a motion to elect Phil Huffman as Vice-Chair. Elizabeth Cadwell seconded the motion. All in attendance accepted.

It is the CC's intention that Leo Laferriere will step up to the Chairperson position when Mark steps down in July. The matter will be voted on and finalized at that time.

Paul Hartshorn motioned that annual elections should occur within the CC each June. Chair, Co-Chair, and Secretary Positions will be determined at that time. Since appointments are made on a two-year basis, it will be assumed that appointments within the CC will run a similar two-year term.

Mark Grosby motioned that the CC enter into Executive Session to discuss possible candidates for the current and upcoming vacancies on the Commission. Ted Joslin seconded the motion.

It was determined following the Executive Session that all candidates will be asked to attend the next Select Board meeting on May 12th and the CC meeting on May 29th. (...Now postponed until June 26th...)

Letters of interest should be addressed to the Select Board.

### **III. Northfield Ridgeline Parcels:**

The Vermont Land Trust is meeting with concerned foresters on May 9th regarding language used in Easements, particularly as that wording relates to riparian buffers.

Leo Laferriere recommended holding off on any decisions until after the May 9th meeting. If the VLT chooses to continue with the currently proposed wording, Leo may encourage the CC to consider splitting the Scrag parcel into two sections: one section under the general management plan and one section with the stricter VLT guidelines. The donor working with the VLT wants to ensure that the easement is maintained on the donated property, and the Town should honor that request.

On a different note, Leo Laferriere reported he spent over 10 hours in Waitsfield and Northfield researching deeds, boundaries, and access as they relate to the two donated properties. He found no references to access from the Northfield side – hence both properties appear landlocked, that is without rights to pass over land of others in order to reach these lands. Access will need to be negotiated with the abutting owner in Northfield.

Separately he researched title to properties in Waitsfield lot #42 in the first division, which lies primarily on the Northfield side. Although the lot supposedly contains 100 acres, only 60 acres (the Tucker parcel, owned by the Town) are accounted for. Ownership of the balance of the land (40 acres approx.) is unknown. Early records show six acres of the 40 was deeded to Henry A. Culver, and A. E. Covell acquired title to the remainder. However no records were found, in either Waitsfield or Northfield, indicating either Culver or Covell passed title on to others. Covell's estate is decreed to Jemmis Covell, but no record was found where Jemmis conveyed title to the Waitsfield land.

**Action Item:** Leo will summarize his findings, and the CC will forward it to the Select Board with a recommendation.

#### **IV. Wu Ledges Municipal Forest:**

After conferring with fellow CC members and the Select Board, Elizabeth Cadwell finalized the work order with Voss Signs this past week. The Sign for the Wu Ledges should arrive this week. Mark Grosby will email Charlie Hosford, and Elizabeth Cadwell will contact Valerie Capels at the Town offices. Mark Grosby will acquire four posts for the project, and he and Leo Laferriere will do the installation.

**Action Item:** Mark Grosby will contact Charlie Hosford and acquire four posts (...done...)

**Action Item:** Elizabeth Cadwell will contact Valerie Capels. (...done...)

**Action Item:** Leo will organize installation with the Town (...done...)

Following installation of the signs, Phil Huffman will organize an outing to mark the trails. Mark Grosby will help Phil on-site.

**Action Item:** Phil Huffman and Mark Grosby will oversee trail marking efforts this month. (done)

#### **V. Forests, Wildlife and Communities Project:**

Phil Huffman provided an overview of the Communities Values Forum held on April 7th. Phil, Leo Laferriere, and Elizabeth Cadwell were all in attendance at the event. The CC will await feedback from Jamey Fidel, one of the event organizers.

#### **VI. Other business:**

The Minutes from the April Meeting were reviewed. Ted Joslin motioned to approve the Minutes, and Leo Laferriere seconded the motion. All present approved the motion.

The next meeting is set for May 29th. (...Now changed to June 26th...) The July meeting will be held on Thursday, July 24th.

The Commission resumed its discussion from the March 27, 2008 meeting about the inquiry from a local farmer asking whether the Austin parcel might be made available for commercial agricultural pursuits. It was noted that the VLT easement specifically precludes commercial pursuits, and does not specifically include agricultural pursuits. Additionally, the land cannot be leased without permission from the grantee. (Book 86, 465-468) Therefore, this idea was determined not to be feasible.

The meeting went into Executive Session and was then adjourned.