

West Windsor Selectboard
Draft Minutes
October 23, 2018

Present at site visits: Win Johnson, Matt Kantola, Brett Myers, Martha Harrison, Mike Spackman, Ted Siegler, Renee Johannensen, Sandra Boles, Dave Dugdale, Martha McGlinn, Matt Peeler, Gordon Richardson, Dave Ormiston

Present at public hearings: Win Johnson, Matt Kantola, Brett Myers, Martha Harrison, Mike Spackman, Ted Siegler, Renee Johannensen, Sandra Boles

- 1) Call to Order – Selectboard Chair Win Johnson called the meeting to order at 5:12 PM.
- 2) Changes or additions to the agenda – None
- 3) Announcements/Public Comment – None
- 4) Public Hearing on the discontinuance of an existing Legal Trail on the Johannensen property (parcel #8-29), which extends north from the intersection of Blood Hill Road and Kings Highway to the Hartland town line, as shown on Farnsworth Survey drawing #08-1950 – Win opened the public hearing and swore in Mike Spackman, Ted Siegler, Renee Johannensen and Sandra Boles. Renee said she and her family didn't realize that the location of the town road was an issue until they moved in and noticed that the town was plowing their driveway, which provides no benefit for the town and has always been a safety issue. Renee said the road has never been accessible, as a road, all the way through to Best Road, since she has owned the property. Soon after they moved it, Renee said, they asked the town to reclassify the road as a Legal Trail thinking that would be the end of their problems, but people continued to come through the property and get lost. Recently, Renee said, she considered putting a garage up but ran into a setback issue because of the Legal Trail, which sparked her interest in moving the Legal Trail to someplace safer for her family and pets, that would also protect their privacy. Ted said the existing Legal Trail in its current location is not valuable to West Windsor at all because it becomes impassable once it hits the Hartland town line. Win said it's his understanding that hikers, bikers and horseback riders already use the proposed new Legal Trail. Ted agreed and said he hasn't ridden past Renee's house in at least fifteen years because there's nothing but rocks, roots and downed trees on the existing trail. Win asked Mike if he has done any maintenance on the existing trail. Mike said no. Win noted written testimony from the VT Department of Forests, Parks & Recreation, in the form of a letter dated September 26, 2018 from Rebecca Washburn, the Director of the Lands Administration and Recreation Division. The letter offered the following comment: "The Springfield District has no problems with this proposal as long as there are no restrictions placed on the recreational use of the new legal trail – all of the recreational uses that would currently be allowed on the existing trail should continue to be allowed on the new trail." Ted noted that the Conservation Commission is unanimously in favor of discontinuing the existing legal trail and replacing it with the proposed legal trail. Sandra noted that cars speed up the driveway and endanger the safety of the dogs and children playing. Sandra agreed with Renee that privacy is also an issue. As there were no further comments, **Brett moved to close the public hearing. Matt seconded the motion, which passed unanimously.**
- 5) Public Hearing on the laying out of a new Legal Trail along the western border of the Johannensen property (parcel #8-29) as shown on Farnsworth Survey drawing #18-2175-TR – Win opened the hearing and reminded those present that they are still under oath. Win noted that a safety issue was raised at the site visit; snowmobiles currently cross Kings

Highway where it intersects with the Greenall's driveway because there is good visibility in both directions at that location. Crossing Kings Highway in the vicinity of the proposed new Legal Trail, along the western border of the Johannensen property, would be dangerous because the snowmobiles would not be visible to westbound vehicles. Win suggested that the Selectboard consider the proposal to lay out a new Legal Trail as it is presented on the survey and make a decision; then, if the Conservation Commission works out a solution to the safety issue with Renee, the Selectboard can go through the process of altering the location of the trail at that time. Ted recommended consulting with an attorney and noted that the Selectboard has sixty days to make a decision. Win said the Selectboard will get a legal opinion on whether or not altering the survey necessitates a new public hearing. Renee said the proposed legal trail isn't really a new trail since there has been a trail in that location for a long time. Renee said she plans to keep that trail open and accessible no matter what but having it as a permanent fixture for the future definitely has benefits. Ted said the Conservation Commission considers this a great opportunity for the town. Ted said he thinks a Legal Trail is preferable to an easement because it gives the town permanent access under all circumstances. Win said at the site visit on the Hartland side of the trail, Hartland asked about West Windsor's intentions regarding trail maintenance and Win said the town has made no commitments regarding maintenance. Win said one of the Hartland Selectboard members also asked if the trail could be named the Verdun Trail because it goes over Verdun Hill. Renee said part of the trail is called the Trail of the Bloodhounds by the Green Mountain Horse Association (GMHA). Win asked if anyone has any objections to calling it Verdun Hill. Renee said GMHA may want to continue to call it the Trail of the Bloodhounds. Win said if they want to call it something else, that's their business; we would just refer to it in our records as Verdun Hill. Matt suggested signage to direct people to the trail. As there were no further comments, **Brett moved to close the public hearing. Matt seconded the motion, which passed unanimously.** Win said the Selectboard will deliberate and issue a decision within sixty days.

- 6) Deliberative session – **Brett moved to go into a deliberative session. Matt seconded the motion, which passed unanimously.** After discussion, the Selectboard agreed to reconvene on Monday, October 29, at 5:00 PM to continue their deliberations.
- 7) Other Business – None
- 8) Adjourn – **Matt moved to adjourn at 5:33 PM. Brett seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison