

MINUTES FROM A PUBLIC HEARING ON FEBRUARY 04, 2008

This hearing was held as an informational hearing regarding the sale of the Sarah Holbrook property to the Conservation Cycle Club of Vermont, LLC. The hearing was held at the Town Office and began at 7:00 p.m. Select Board members present were Gene Armstrong, Tom Benoit, John Devine, Pat Mallow and RJ Vallie. Also present was Town Clerk Deborah La Riviere, Doug Weber and Ray Atwood of the Conservation Cycle Club of Vermont (CCV), Julie Foley from the state of Vermont and approximately 50 residents.

Select Board chair John Devine opened the hearing by explaining that the town was considering the transfer of a piece of land, known as the Sarah Holbrook property, to the CCV to be used as an Off Highway Vehicle (OHV) park. He added that the town would be considering several clauses to the agreement whereby the land would revert back to the town if the club failed and that the club would pay taxes.

Ray Atwood: The Sarah Holbrook land is an idle piece of land at this time. The club would like it for a town park and the club understands the liability involved with the town just leasing it to the club so an actual transfer of the property is what we determined to be the way to go.

Doug Weber: The vision for the park would be to create a multi-use park. Something that can be used for fishing, hiking, motorized vehicles (OHV) and mountain bikes. The club has about 200 members and is based in Bolton. The club is family oriented and we also have questions about what can be done on this piece as well. The club isn't interested if it can't get access from the railway or there is too much land that is designated as a wetland. As soon as the snow is gone, the club will be walking the land to determine some of this. If we get clearance and an access we'd like to develop a trail head and small parking area. We will consider making it a gated park. After we do a wetland's assessment, we will have another public hearing. The vehicles in the club are registered, inspected and street legal. The purpose of a trail system would be to enable children to work on their skills, not for racing.

Steve Barner: How will the club control who uses the park?

Weber: There are a number of ways, and if it becomes a problem the park could be gated.

Karen Lawsing: If you are planning on a multi-use park that will include mountain bikes, how will that be integrated with OHV?

Weber: People have to learn to share. The property is about 16.5 acres but there is probably less than 1/2 that's usable, so people will not be coming from 200 miles away to use these trails. It's not going to be interesting a park to most riders.

Kevin Ruelle: I feel like we're being asked to plan for something without any actual plans.

Pat Mallow: The club didn't want to spend a lot of money, if the townspeople decided to say 'no' to the actual transfer. The club will get the necessary permits if they get a go ahead.

Jerry Mullen: Voting at town meeting will be the authorization to go ahead.

Neidi Suursoo: What if someone else wants this land? Are we investigating any other options?

Devine: In order to get this out at town meeting, we did it this way.

Atwood: We'd like it to be a multi-use park, maybe a picnic area and canoe access.

Jill Drinkwater: Maybe a playground.

Amy Grover: I have a statement from the Bolton Planning Commission: "Under Section 1, Purpose and Goals, page 5 of the Bolton Town Plan states that: 'The Town's goals for community development shall be to: a) Work to ensure the existence of public access to the area along the Winooski River corridor. Much of Bolton's livelihood is attributed to recreation and this theme should be expanded to include the area along the River. In 1992, a canoe access was established on the south side of the river, and in 1998 the town acquired a 16 acre parcel on the north bank which could be developed into a park or walking path. The presence of a rail road which runs through this parcel creates a safety concern and needs to be addressed and resolved in order for any recreational developments to occur. Overall, this type of recreational development should be continued. A park could be sited along the river front, which could include playing fields, walking, and biking trails, fishing and boating access'."

Mullen: Will the club pay taxes?

Atwood: Yes

Mullen: Wouldn't it be more practical to give the club a long term lease?

Joss Besse: There might be liability issues.

Liz Lawrence: Could someone describe the site?

Julie Foley: It's mapped as a Class 2 wetland and there are significant wetlands on this property. Uses without permitting are pretty limited.

Mullen: On the river side there is a low natural levee.

Ann Whitman: I live right across from there and it is a wetlands and probably floods.

Foley: Some of what the CCV is proposing would be permissible.

Besse: What about town and state permits?

Foley: They might need Act 250.

Whitman: What about the Right-of-way? Has anyone looked into that?

Nick Heintz: Is there a right-of-way in the original deed from Sarah Holbrook to the town?

Atwood: We also thought we would use a sound meter to be sure noise isn't a problem. The bikes are about 97db's and a lawn tractor is about 100 decibels..

Ruelle: This really sounds like a club park and not a town park. Can people get thrown out? Will it be open to the public?

Atwood: Well, we don't want to limit it since that could open a can of worms.

Lawsing: What will be done for restrooms?

Atwood: Not sure yet.

Tony Barbagallo: I think there are better ways of getting people involved in what's going on, maybe in the future we could have the informational meeting before the town does something. This seems to have fallen through the cracks and the Conservation Commission hasn't had time to develop a position, but will, and I think it will be opposed to this. I think alternative uses should be investigated. Conservation of the land should be first, maybe in connection with the Chittenden County Uplands Project.

Mica Cassara: Is the entire parcel in the flood area?

Barbagallo: Yes.

Atwood: It's mostly sandy and we're looking at different uses but mostly for kids.

Ruelle: I understand it's multi use, but only ATV's?

Atwood: Multi use would be for dirt bikes, mountain bikes, canoeing and swimming.

Phil Graff: Are there any other properties in Chittenden County that you use that we could look at to see how things have gone?

Atwood: No, not at this time.

Suursoo: If these are kids who are learning how to ride dirt bikes, where would they come from?

Atwood: The neighborhood.

Suursoo: Is there an established need?

Atwood: There are no places to ride legally.

Ruelle: Will there be conditions on the sale?

Mullen: Any conditions should be spelled out.

Barner: This is actually a worthless piece of property. There is no access and it's in a flood area.

Atwood: The club actually has no public funds so it can't purchase the property but it can pay taxes and maintain it.

Ken Wiggins: Other groups should be questioned as to whether or not someone else might be interested. What are the mechanics of what's going on? If the town votes, yes, on town meeting than it's a go, right? I'd like an opportunity to discuss this further.

Foley: There may be separate rules applying to rivers and if Act 250 comes into play more. Wherever the wetlands are is what triggers Act 250. The river is not a wetland, it's a river.

Wiggins: Does anyone know where the rain goes?

Heintz: More than half of this parcel has a very low swale, about 5 or 6 acres are fairly flat. It's honey-combed with hummocks.

Wiggins: Since there will be dirt trails, how will you cope with erosion?

Weber: We will have a buffer zone and will do maintenance to keep the erosion down. We will only build trails that can be maintained.

Wiggins: Would there be any permanent facility for gas and oil?

Weber: No.

Wiggins: There seems to be a lot of unknowns. I'd like to see a document that describes the project and CCV intent. I think the town has a right to know what they're voting on, there's nothing to bind the club. I think we're not ready to vote on this.

Steve MacLeod: These clubs are like VAST. They become assets to the community where they operate. Multi use means multiple uses and I understand not wanting the club to do any more until there was a positive vote. We have plenty of conservation land in this town and I feel this concept is pretty clear. The permit process will make sure the CCV adheres to the rules.

Suursoo: I think 16 acres is too small for multi use.

Weber: Our plan is for parking for only five vehicles at a time.

Ruelle: How can we make it just for kids?

Atwood: There could be fenced in trails for pee-wees.

Weber: It's not going to be a destination spot for bikers. It'll be set up for kids and it's all free so there will be no liability.

Graff: Would the town have input on what the uses will be?

Atwood: Yes.

Devine: I think multi-use makes it more inviting. Now it's like a jungle down there. Nothing will be built on this property.

Grover: How will you keep people off the property?

Atwood: Fencing.

Barbagallo: If you have to put up fencing or fence off the wetlands, it's a whole different story.

Whitman: How can you prevent this from becoming an 'attractive nuisance' with regard to adolescents?

Weber: It's in the open. If kids are underaged, they won't be able to drive to get to it.

Atwood: Where are the kids supposed to go?

Jen Andrews: I think we're putting the cart before the horse. Our town should look to other options for this property. Could the Select Board help with other ideas before we make a decision?

Devine: Yes, but we need to resolve this issue first.

Barbagallo: The Recreation Committee did a survey back in the 90's. Maybe there are some answers about this parcel in that survey.

Wiggins: I feel like we're being forced to vote against this before we can even see what the plan will be.

Atwood: We can't afford a plan.

Barbagallo: What if the CCV does nothing with the property?

RJ Vallie: There will be clauses in the agreement.

Atwood: Even with a 'yes' vote, the club itself may still not want it. We always work with the adjacent landowners. Without permits, we don't want it.

Besse: This will be a floor discussion at town meeting, also.

Atwood: When I was on the Select Board the fire department wanted to burn down there, but the Conservation Commission said no. This land has just been sitting there doing nothing for years.

Wiggins: Is there a sales contract?

Devine: We agreed to sell it for a dollar.

Wiggins: If the vote is 'yes' can there be conditions on the sales agreement?

Devine: It's an open agreement now. Another outdoor facility is a feather in the town's cap.

Vallie: It's always been there. Nobody's expressed any interest in until now and this looked like a good opportunity for recreation. We're just letting the CCV do the heavy work. This will not preclude any other uses.

Mullen: The town had this piece for over ten years and this is the first interest. I'd like to see the Board investigate a long term lease.

There was no other discussion on this subject and the hearing closed.

Attest:

Deborah La Riviere
Town Clerk

Unofficial minutes

