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March 19, 2010

**Approved meeting minutes  
Huntington Conservation Commission (HCC)  
February 11, 2010**

**Meeting began 7:05pm, adjourned 9:22pm**

**In attendance:** Wally Jenkins (chair), Roman Livak, Margaret Fowle, Amy Dohner, Alan Brace, Laura Hill Bermingham (clerk)

**Public in attendance:** Brett Lindemuth

**Wally called the meeting to order at 7:05pm**

**Review and approve minutes, review mail:**

There was a short discussion about the detail included in the HCC minutes  
Laura (clerk) asked whether the minutes should be a summary or attempt to be verbatim  
The commission agreed that the minutes should be a summary  
Move to approved January meeting minutes with edits  
Unanimous approval

**Public questions and comments:**

Brett Lindemuth arrived at the meeting around 8:30pm and made comments at the end of the meeting

**Jean Sturm, HERO grant:**

HERO focuses on vulnerable populations and isolation  
Transportation was the #1 need for residents based on an initial survey, and there will be a survey at Town Meeting to reassess community needs

HERO received a Chittenden County Metro Planning Organization (CCMPO) \$25,000; \$5000 non-federal fund, in-kind hour structure for \$5000. None of the grant money has been spent. Jean has been in touch with Hinesburg's rideshare program (volunteer riding, commuter carpool) Hinesburg initially used the money through a lot of PR and marketing (ads, posters, etc.) Disseminated money to SSTA (Social Services Transportation Agency)  
This grant is just a planning grant, and the project budget is meant for planning purposes only

Interest in working with conservation commissions – bike systems, carpooling, etc., but the grant is written toward a volunteer ride program

The HCC is interested in developing a carpooling program, the Huntington Energy Committee is also interested in transportation

Jean is not interested in taking on any carpooling projects, etc., but encourages subcommittees  
Jean thinks that CCMPO would be interested in funding more grants in the area for carpooling (contact: Brian Davis, Transportation Action Grants)

Wally recommends talking with the commissioners to see if the HCC would like to take on a project and will contact Jean if so

June 2011 deadline planning grant

## **Town Forest:**

### ***Access***

The Selectboard is not pursuing Ancient Roads as an avenue for accessing the Town Forest. Brett's concerns was that the HCC wasn't specific about what we wanted access for in the appeal to the Selectboard.

Wally recommends that the HCC needs to be specific about what the access is for, and would be comfortable pursuing an easement for non-motorized access (skiing, hiking, educational programs).

Alan wants the Selectboard to approach the affected individuals and talk with them, or Alan could talk with them to figure out their thoughts.

Margaret expressed that this is the Selectboard's job, and the motion was to ask the Selectboard to do this.

Wally agrees, but mentions that the Selectboard is always busy and has a lot on their plate. Alan has a lot of contact with people who are opposed, so he could speak with them and we could do a little bit of legwork. Then, the HCC can present it to the Selectboard.

Roman recommended that we push to get the access as an agenda item, then HCC members could attend the Selectboard meeting. If there is no action from the Selectboard by March, then the HCC can write another letter re: the need for planning and budgeting commission funds, etc.

Roman recommends that we reiterate our request to the Selectboard when we present the State of the Forest report with Mike Snyder, and at this time, we can have a discussion.

There was discussion about whether the conversation should include just affected property owners. An open forum was recommended, so all can be included in the conversation.

Alan presented a map that he made exploring other trail routing options, which may affect less landowners.

Alan mentioned that, at an Ancient Roads meeting, both David Brautigam and Andy Carlo (representing Garrison Hill) backed out for their support for access using the Ancient Roads avenue.

Alan asked the commissioners what they thought about having a limited access easement to the town forest. Margaret mentioned that it would just formalize the fact that people can use the trail, even though they are already there. Amy mentioned that the Catamount Trail did a year agreement and it wasn't a problem. Amy agrees that limited access is good (no ATVs).

Wally's biggest concern in accessing the Town Forest, is that it would increase motorized use, but, we can post the land.

### ***Designation***

Alan is concerned about state involvement in designating the Town Forest parcel.

No one knows how much the state will be involved, but commissioner approval is necessary.

Designation could be done at any time, maybe with more public involvement.

Mike Snyder, author of the Forest Management Plan, is in favor of designation and promotes it for the Town Forest.

Wally assumes that Mike will likely oversee any project that goes on (eg., logging, etc.), and the plan is sensitive to the commission's goal. Wally trusts Mike's judgment on designation.

Wally recommends presenting Management Plan and State of the Forest report with Mike Snyder at March's Selectboard meeting

Margaret will contact Mike and Ed Wildman and mention that the HCC is not pursuing designation, but it would be helpful to discuss the pros and cons of designation as well as encouraging access from Huntington side.

***"State of the Forest" errata***

Roman did not find anything in his personal notes about mistakes in the State of the Forest report map

Aaron Worthley is organizing the new map, and is waiting to hear about Roman's notes

Wally requests that Aaron provides addenda for the State of the Forest report satisfying Cara LaBounty's concerns about the map, reiterating a move from the January 2010 HCC meeting

Wally will contact Aaron

Alan will write a short Times Ink article on the errata sheet

**Sugar Makers Open House:**

Saturday, March 27, 2010 Open House

Laura is organizing the event with the help of Margaret Taft.

Alan and Margaret mentioned sugarmakers who may be interested in participating, and Laura will contact (Trapp Rd. sugarhouse; Green Mountain Meadow, John and Erin Altermatt's on Taft Rd. = ~1000 taps)

Laura will get posters for store for next meeting and is working with Aaron on brochures for Town Meeting and will bring them to the March HCC meeting

Wally will remake and set up the sandwich board for the event

At the March meeting, the HCC will delegate sign distribution to Beaudry's and to Sugarmakers on March 27th.

**New member search:**

The appointment of Laura Hill Bermingham to the commission is scheduled for discussion at the Monday, 2/15 Selectboard meeting

Alan is concerned about the "relevant background: experience and qualifications" wording in the advertisement, which follows the model of the Selectboard appointments by the "Town of Huntington selectboard" document

Wally states the need for an agreed upon deadline for applicants

Alan thinks that the word relevant alienates the general public, recommends that "general" instead of "relevant" qualifications should be used.

Brett is interested in applying for the HCC open position. He asked that the HCC should be sensitive to the idea that it has the potential to be construed as a political maneuver, if, in the end, there was a pool of candidates.

Amy mentioned that the decision is based on people's interest. She asked about Brett's motivating factor and whether it was a political maneuver.

Brett mentioned that part of his interest is to keep tabs on what is going on in the town. If he was more involved, the Town Forest access may not have been so bumbled. He regards some things that have happened as hostile means of gaining access. Brett also mentions that he has the same

interests regarding town forest and floodplains, etc. Brett thinks the group needs balance, and it would help relations in town if we could put ourselves in everyone else's shoes.

Amy mention that this is only one facet of what the commission is working on and hopes that applicants would be interested in a wider view of conservation.

Amy moved a deadline of April 1<sup>st</sup> for applications, review in April meeting; if no applications are received, the deadline will be reset

Wally seconds

Margaret, Amy, Wally and Roman approve; Alan abstains

Margaret will post deadline on Front Porch Forum, and also contact Heidi for her email list, posters at Town Meeting, library, post office and Beaudry's store

Margaret will remove the word "relevant" from the advertisement

### **Scenic Inventory:**

The history of scenic inventory, including potential controversy (i.e., perception of more regulation, not just beauty) was discussed.

Wally mentioned that minutes from 1990 HCC, one of the four biggest concerns = scenic resources of Huntington

Roman wrote an article to be published in the Times Ink, and Margaret and Wally provided edits

It is necessary to make the point that the HCC is simply verifying the methodology.

Wally recommends adding to the article that we have a random list of properties and we will contact any landowners for their permission, although we will be viewing the property from the road.

Roman would like to make the April issue of the Times Ink

Huntington's town plan mentions scenic views, so how do we measure this? How accurate is it?

The variation could be estimated from the 20+ sample points and using this as a reference point for measuring other inventories. If the deviation is large, then it's not a good evaluation tool.

Alan mentions the usefulness for looking at Conservation Funds going toward projects, when comparing the importance is necessary, but beyond that it is a little scary

Alan found an article online from NH – should landowners be taxed based on their view?

Brett has been doing research on eminent domain, and he found that the scenic value of a property is one means by which eminent domain can be enforced. So, he recommends that the HCC takes into consideration and to treat the issue sensitively.

Wally recommends tabling discussion of sample properties until March 2010 meeting

### ***Orthophotos***

Tabled until March 2010 meeting

### **Conservation Fund:**

#### ***Article***

Wally's edits on Alan's article for the Times Ink. Wally will get the article to Heidi so that it

comes out before Town Meeting

Wally mentioned that in the August 20, 2001 Selectboard minutes re: Bradley property, Ken Pillsbury asked if the HCC could generate a list of properties. Ken thought that it wasn't the landowner's job to approach the HCC, but the other way around.

Wally thinks that the HCC should pursue projects and contact landowners.

Further discussion was tabled.

### ***Town meeting***

Wally asked if it appropriate to talk about possible things that the Conservation Fund can be used for at Town Meeting. Commissioners agreed that this is a sensitive topic, and it's not a good idea to talk about potential projects at Town Meeting, just that the HCC is encouraging projects and proposals.

Discussion regarding current language in the Conservation Fund application: "Any request for conservation funds, recommend they be only 25% of the total cost of the project and not to exceed \$50,000."

Wally thinks \$50,000 is not relevant and should be removed, and 25% of the project seems daunting... should it be more 50/50 match?

Can the 25% be a minimum rather than a maximum? The HCC doesn't want to spend all the money on 1 project, so this is a recommendation only.

There was agreement that the total amount is irrelevant and should be removed.

The 2007 HCC Annual Report mentions new guidelines were added to the application. In fact, it is not on the website, so it needs to be clarified.

Some properties were discussed as potential Conservation Fund opportunities:

- Teal Farm 600 acres for sale
- Bland land with water frontage, no buildings, bordering the Hoff Farm and meadows around the recreation field (Amy mentioned that there is state money for river corridors)

Roman posed a hypothetical scenario... Is it possible if Roman bought the Bland property (eg., \$300,000), and half of the money is Conservation Fund, that the Livak name is on the property?

Wally responded yes, but there would be a conservation easement, access to the river, overall benefit to conservation in the town, requirement that land stayed farmland

### **Other business:**

#### ***Photo contest***

February/March 2011 event

Wally has a grant in review with the AVCC to fund cost for lighting, but the HCC's operating budget may need to partially fund lighting for the photo contest (under purchase/service reason = education and outreach), ~\$200

Wally is also exploring other grant options

#### ***Calendar***

Alan is interested in Wally's idea about creating a calendar

Ideas: post hunting seasons on the calendar, description of species, HCC meeting dates, Planning Commission's dates, Selectboard meeting's dates, etc.

We could also use the photo contest winners for the calendar, but this would push the calendar into 2012

Further discussion tabled until next meeting

Alan mentions that the donation check was never cashed, and it could be used towards the calendar

Amy will look into this, and will look back at her emails with Ed and Dan

### ***HCC files***

Wally cleaned out and organized the cabinet in the Town Hall basement and a conservation file drawer

### ***Publications to library***

Wally put HCC publications in the library for public uses, and will write a short Times Ink article to advertise the availability of the new conservation publications

### ***Former HCC minutes***

In ~2006 the HCC started using computerized files, and Wally couldn't find minutes prior to 2006 in the vault

Roman mentioned that there are more minutes available, and to talk to Heidi

### ***Website***

Roman asked if we could transfer the River Corridor website information to the HCC's website?

Laura will speak with Dan Stoddard about adding the river website and get an update on the website changeover

### ***Public comments about the January meeting minutes***

Brett had concerns about the approved January meeting minutes

The statement "Clearly observable on the LaBounty property" regarding "unmapped class 4 roads" is in legal limbo

The burden for showing that there is use is probably now transferred to someone who will need to bring private action to seek to show there is use

"Right of adverse possession" –if a landowner asserts a claim of ownership, but are not engaged in a process, merit of this claim has extinguished itself (eg., the LaBounty property)

Brett sees 3 options: Ancient Rds, right of adverse possession, eminent domain

Access should be something that all the landowners can agree on, and Brett wants the HCC to know that landowners are actively pursuing legal options

Brett asked to be added to the email list to receive the unapproved minutes

Wally thanked Brett for not posting his land, because he has enjoyed it

### ***Adjourn:***

Roman moved to adjourn at 9:22pm, Wally seconded, unanimous vote

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**Date unapproved minutes to town clerk:** February 15, 2010

**Date approved minutes to the town clerk:** March 13, 2010