

Statement of John Echeverria
Relating to the Legal Trails on the Dodge Farm

February 24, 2021

My wife Carin Pratt and I own the Dodge Farm at the top of the Strafford Road in Tunbridge. Thank you for letting me speak with the Planning Commission about a proposal to change the longstanding town position limiting the mandated public uses of the legal trails in Tunbridge to “hiking” and to expand the mandated trail uses to include, among other things, “road bike riding” and “mountain bike trail riding.”

In September 2020, I sent a memo to the Selectboard, observing that bicycle use on the four legal trails would create a variety of problems for different land owners, and I subsequently forwarded the memo to the Planning Commission. In seeking to devise clear, general rules for the four trails, the Commission needs to recognize that each of the trail segments is unique and involves different sets of challenges. I urge the Commission to take the time to explore on foot each of the four trails to better understand the different kinds of problems that would be generated by bicycle use. I will be happy to give any Planning Commission member a tour of the two trail segments on the Dodge Farm.

I will focus these remarks on the two trail segments located on the Dodge Farm: the old Baptist Hill road and the trail between Dodge Farm and Landgoes Farm, and how bicycle use would impact the Dodge Farm. I will offer some very brief words at the end about horseback riding on the trails.

First things first, Carin and I support the continued existence of the public legal trails on the Dodge Farm as well as the other legal trails in Tunbridge. We have not and will not advocate that these trails be thrown up. Public access rights are a valuable public resource and should be conserved. As far as we are concerned, the only topic under discussion is whether the Town should seek to expand the mandated public uses of the trails. We support the continued use of the trails for hiking and other pedestrian activities.

Carin and I bought the Dodge Farm from Libby Dodge's estate about 6 years ago. The Dodge family proudly owned the farm for about 90 years, and we hope to emulate that record of long-term stewardship. We continue to live in Strafford village, but spend a good deal of time at the Dodge Farm walking the land, clearing the trails of debris, maintaining water bars, tending the ancient apple orchard, mowing and weed whacking, exposing the many stone walls on the property, etc. Our friend Paul Harwood, a retired consulting forester known to many of you, lives in Libby and Edgar Dodge's former home on the property.

We bought the Dodge Farm because we think it is the most beautiful piece of property we have ever seen, and we did so not only for ourselves but in the hope of providing a service to the community. Many Tunbridge residents – perhaps most notably Euclid Farnham – were very concerned following Libby's death about the future of the Dodge Farm, including whether the historic buildings on the property would be torn down, whether the open land would be developed and, most especially, whether new owners would bar the public from going up to White Rock, the high point of the property that affords magnificent western views stretching to the Green Mountains.

After we bought the property we contacted the Upper Valley Land Trust and offered to donate an easement on the property, an offer the trust quickly accepted. The easement prohibits any development on most of the 325-acre property, including White Rock, excluding only a small building envelope around the historic, 180 year-old farmhouse and the surrounding farm buildings. For many years our neighbors Herbert and Mel Goertz wanted to place their land under easement but were discouraged from doing so by the relatively small size of their property. Once the opportunity to conserve these two adjacent properties emerged, the Upper Valley Land Trust agreed to accept donations of easements on both properties, creating a 420-acre block of conserved land. While the Dodge Farm easement prohibits development, Carin and I retain the usual and ordinary rights of Vermont landowners to restrict and regulate public access to the property. Because we want to keep the public from loving the Dodge Farm to death, and because of our concern about the negative effects of vehicle use on the land, we do not allow wheeled vehicles on the farm, including trucks and jeeps, ATV's, motorcycles, and bicycles.

Shortly after purchasing the property, I met Rodney Hoyt, who was helping his nephew Thomas hay several of the fields on the property, which Thomas has

been doing for many years and we hope he will continue doing for many more. Rodney said it was good to meet me and then said, "Let's get this out of the way, can we continue to hunt on the property?" I assured him he and his family could continue to hunt on the Dodge Farm. We do not post the land and the Hoyts and many others regularly hunt the property.

Baxter Doty was concerned about the future of the VAST trail on the Dodge Farm after we bought the property. The VAST trail runs from the western edge of the property at the bottom of the pasture and extends for about a mile from one end of the Dodge Farm to the other and exits the property at its eastern edge at the Tunbridge-Strafford line. We talked with Baxter and assured him that snow machines could continue to use the trail on the Dodge Farm, and the VAST trail remains in place today and gets very regular use in the winter months.

We also allow access to the property by hikers, cross-country skiers, and snowshoers, ensuring that the public can continue to enjoy the hike to White Rock and the view from that high point. The Dodge Farm is featured twice in the recently published *Tunbridge Walks: a Guide to Hiking in Tunbridge*. Last year we were approached by Mike Hebb of the Strafford trails group who asked us if we would be willing, together with neighboring landowners, to permit the establishment of a 4.5 mile trail from the Dodge Farm to the Strafford Townhouse. We agreed.

As to the house and farm buildings, we have not demolished any buildings. Instead, with the help of local craftsmen, we have restored Libby and Edgar's old hay barn. We salvaged as much of the old framing as we could, reconstructed the crumbling stone foundation, and rebuilt the barn using a combination of the old framing and new framing and boards produced from pine, ash, fir, and hemlock harvested from our property and a neighbor's property. We have painted and shored up the milking parlor and workshop, and this summer we will do substantial repair work on the foundation of the house. From the public walking trail from Landgoes Farm, from the VAST trail, or from the trail up to White Rock, the old farmhouse and farm buildings offer an exceptionally beautiful view and a window into an earlier, simpler Vermont.

Carin and I take a great deal of pride and satisfaction from the public's ability to use and enjoy the Dodge Farm. During one of my first visits to the Dodge Farm, before we purchased it, I encountered a small group at White Rock, consisting of a young couple that had just gotten married on top of the Ferris wheel

at the Tunbridge World's Fair and their families. I was very moved by the significance of White Rock to these families and I know many other members of the community have a deep affection for this lovely spot. We have welcomed the public to Dodge Farm.

At the same time, welcoming the public to the Dodge Farm has created challenges. Because it is so beautiful, because of the magnificent long range views, and because it offers so many opportunities for outdoor recreation, many members of the local community, and others from far and wide, visit the Dodge Farm. On any given weekend afternoon four or five cars at one time are often parked at the White Rock trail head. As you all know, snow machines generate considerable noise and can create some conflicts with other recreational uses. There are the inevitable problems of unruly dogs and thoughtless litterbugs. This past summer, groups of people set fires and camped out overnight at White Rock without permission. In sum, Dodge Farm receives very extensive public use and managing that use has not been easy or simple.

Turning to the legal trails on the property, the trail in the path of the old Baptist Hill Road runs from the western edge of the property, crosses a stream, and then climbs up a steep, deeply incised track leading to the farmhouse. The trail is very wet at virtually all times of the year due to the nearby stream and water draining from the fields. So far as we know, no one has ever tried to bike this trail, and no one has ever expressed interest in biking this trail.

Opening the Baptist Hill Trail to bicycle use would severely intrude on the privacy of the farmhouse. Any user of the trail passes over the front lawn of the farmhouse within a few dozen feet of the house. Bicycle use of this trail would cause serious erosion and impair the quality of the adjacent stream. Last but not least, bicycle use would cause severe conflicts with the traditional use of the fields on either side of the trail as cow pasture. For many years before the Dodge estate sold the property and for several years after we bought it, a neighboring farmer put heifers on the pastures. Because there was no internal fencing, the cows walked in the streams and the wetlands, including the muddy Baptist Hill right of way. The farmer has since downsized and stopped bringing heifers to the farm, and we are now in the process of restoring the fields to health so we can put animals back on the land in compliance with the Vermont Clean Water Act. We have been cutting trees and brush back to the old stone walls, excavating rocks and boulders from the pastures, and intensively mowing the pastures in order to suppress weeds and

invasives. Ben Gabos of the Vermont Agency of Agriculture developed a new plan for electrified cow fencing (see first attachment), which will keep cows out of the streams, the wetlands, and the Baptist Hill trail. Two fenced corridors crossing the Baptist Hill Trail (and the adjacent stream) will connect the two parts of the pasture, allowing us to move cows from one part of the pasture to the other without allowing cows to gain access to the stream or the Baptist Hill Trail. In addition, Mr. Gabos has devised a new scheme for watering the cows, avoiding the past practice of allowing the cows to walk in the stream, using a set of pipes to supply water tanks on each side of the stream (and trail). (See second attachment) Pedestrian use of the Baptist Hill trail can continue after cows are restored to the pasture; bicycle use would quite simply not be practical. If anyone actually wants to open the Baptist Hill Trail to bicycles, we oppose that idea.

Turning to the second trail on the Dodge Farm, the trail from the farm to Landgoes Farm, we urge that the town continue to designate this trail for hiking (and other similar pedestrian activities such as skiing and snowshoeing), and not expand the list of mandated trail uses to include bicycling. Our objections to bicycles are based in part on concerns about erosion and rutting of the trail as well as the safety risks for walkers and other trail users that would be created by bicycle riders. Our primary objection to opening this trail to bicycle use, however, is that it would cause a serious invasion of privacy and loss of peace and quiet for those who live at the farm now and in the future. The legal trail proceeds from the end of Orchard Road, the public road leading into the Dodge Farm complex, through the Dodge Farm farmyard, passes within 20 feet of the house, crosses our lawn, and goes across the very narrow bridge we use to access the pond on the property.

If the trail to Landgoes Farm were opened to bicyclists, large numbers, potentially massive numbers, of bikers would travel through the farmyard. In recent years there has been a large increase in bicycling in the area, and efforts are underway to further increase the level of biking activity. In recent years, Alex Buskey and others created the Ranger Ride, which at its pre-Covid peak attracted 400 bikers on a single day to Tunbridge. I understand the hope is to resume and expand the Ranger once the Covid pandemic ends. Other mass bike events have recently been held in Tunbridge and may well be mounted again in the future. In the meantime, a group working with the National Park Service has reportedly created a comprehensive plan to promote bicycle use in Tunbridge and neighboring towns that will likely attract many new bikers from across Vermont as well as other states. I understand Vermont-based Overland Expedition organizes mass

bike events involving 1000 or more bikers on a single day. If the trail through the Dodge Farm were opened to bicycle use I do not see what would prevent this group from leading 1000 or more bikers through our farmyard on any random Saturday of their choice.

Our concern about potentially massive bicycle traffic on Dodge Farm is heightened by the appearance of Strava, a relatively new internet service that allows bicyclists to electronically record their biking routes and share them with other bicyclists. Strava is a high tech word of mouth service for bicyclists. The beautiful Dodge Farm is a magnet for hikers and other users, and the property would be a magnet for bicyclists as well. As the popularity of riding through the Dodge Farm grew, word would spread via the internet across the state and throughout the region, drawing more and more bicyclists to the property.

The advent and potential future growth of the use of electrified mountain bicycles further contributes to the concern that bicycle use through the Dodge Farm could become massive.

It is crucial to emphasize that the ability of bicyclists in Tunbridge to engage in their sport, and the ability of bicycle enthusiasts to build a useful network of bicycle trails in the area, will not be affected by whether bicyclists are granted access to this stretch of trail on the Dodge Farm (or to any portion of the legal trails in Tunbridge for that matter). The bicycle advocates working with the National Park Service have reportedly designed a 52-mile trail network for bicycle use in the towns of Tunbridge, Royalton, Sharon and Strafford, including many miles of dirt roads, but not including legal trails and Class 4 roads in the four towns. There are about 40 additional miles of Class 4 roads in the four towns (13 miles in Tunbridge, 9 in Royalton, 7 in Sharon, and 12 in Strafford), all of which are legally open to bicycle use. Some portions of the class 4 roads may not be suitable for regular bicycle use, but close to 100 miles of legal bicycle right of way exists in the four towns. That is more than enough – without including any of the legal trails in Tunbridge – for a successful bicycle trail system.

Further, beyond existing legal rights of way, there are unlimited opportunities for bicycle advocates to work cooperatively with willing landowners to create new bicycle trails on private property. Virtually the entire VAST system operates on private lands, based on voluntary, cooperative arrangements with landowners, and this system provides a potential model for how bicycle advocates could establish additional miles of trail.

On the other hand, there is strong case for maintaining the current policy of making hiking (and other pedestrian activities) the only mandated public use of the legal trails. Bicycle use on walking trails can create safety problems and generally degrades the trail experience for hikers. Thus, the American Hiking Society describes “foot-only trails” as “an important resource for the hiking public.” The Society says, “Foot-only trails offer the best opportunity to design sustainable trails that best meet the unique needs of hikers and provide them with the highest quality experiences.” See <https://americanhiking.org/wp-content/uploads/2013/05/Mountain-Bike-Position-Statement-BOD-Approved-10-19-2013.pdf>. Given that bicycles are allowed on *every other* public right of way in the Town of Tunbridge, it is fair and appropriate to continue to reserve the tiny network of legal trails for use by walkers without interference from bicyclists.

Questions have been raised and assertions have been made about historical uses of this segment of the Tunbridge legal trail system by bicyclists. Since we bought the Dodge Farm, we have maintained the position, in accord with the existing plan language, that bicycle use is not a mandated public use of the trails and have installed a sign on the property indicating that bicycles and other wheeled vehicles should stay off the trail. While we have had scattered conflicts with individual bicyclists trying to use the trail, and not all have complied with the sign, most have. As to bicycle use before we bought the property, I can only say at this point that anecdotal evidence suggests that Edgar Dodge actively discouraged public use of this trail for any purpose. After Edgar died and Libby grew older, she (and her relatives) could only exercise limited control over public uses of the property. Before we purchased the property, some bicyclists and operators of other wheeled vehicles went all over the Dodge Farm (perhaps with permission, perhaps not) and it would be surprising if some bicyclists did not go on the legal trail to Landgoes Farm during this period as well. But none of this history alters the current policy on trail use as expressed in the current town plan nor, more importantly, the fact that a *change* in the town plan now, and adoption of a new policy or ordinance consistent with new plan language, would represent a dramatic *change* in town policy and would result in a dramatic *increase* in the volume of bicycle traffic through the Dodge Farm.

When we bought the Dodge Farm we did so not only for ourselves but also with the hope that this property could be part of network of lands that many landowners and other members of the community could enjoy cooperatively. For the most part that plan has worked so far. The O'Briens sometimes ride horses on

our land and we sometimes ski on their land. We hike on the Goertz land and they use our land. Many other neighbors in Tunbridge and other towns visit the Dodge Farm on a regular basis. This informal system of cooperative land access is based on landowner generosity and flexibility, mutual trust, and respect for the rights and legitimate interests of landowners. We believe we have been responsible and generous contributors to the network of open recreational lands in this community. Out of the 325 acres of the Dodge Farm, we have reserved only a very small envelope in which we want to retain the opportunity to maintain a home and enjoy the home in peace and quiet. Given all of the *voluntary* actions we have taken to protect the Dodge Farm and to invite the public onto the farm, the demands by a few to ride bicycles through the single house site we have reserved for our use on the entire Dodge Farm property are unfair and unreasonable. For the good of the community, the Planning Commission should avoid sacrificing the legitimate interests of landowners threatened by bicycle use and instead should support those landowners, such as ourselves and many others, who have worked hard to help build and maintain the community we all value.

A final quick word about horses. Under the current plan language, just as bicycles are not a mandated public use, horses are not a mandated public use either. We have permitted our neighbors and others to use the trail to Landgoes Farm (and most of the rest of the Dodge Farm) with horses. While horses raise some of same concerns about trail impacts and safety as bicycles, horses have been less of a concern to us simply because there are fewer of them to deal with, and it is difficult to imagine the same large numbers of horseback riders in the future as we could expect with bicyclists. Having said that, we would prefer that horseback riding not be made a mandated public use of the trails so we can continue to control access to the Landgoes trail during mud season or other times when horses can wreak havoc on the trail (and to keep horses (as well as cows) off the Baptist Hill Trail entirely).

Thank you for your consideration.

Echeverria PSWF fence

Legend

landowner fence line - 3722'

x x x PSWF_fenceline - 5308'

10 24 19 Echeverria

1 inch = 225 feet

VCCI

Bank

Reverse

main line

