

**TOWN OF TUNBRIDGE  
SELECTBOARD MEETING**

**Tuesday, September 28, 2021 6:00pm, Tunbridge Central School Library and Via Zoom**

Meeting called to order at 6:03pm

**Present:** Mike McPhetres, Gary Mullen, John O'Brien, Mariah Cilley, John Echeverria, Laura Ginsburg, Ian Mackenzie, Daniel "Rudi" Ruddell, Cal Hemmingway, Lori Berger, Deb Mullen, Todd Tyson

**Road Report:** Road Foreman- Rodney Hoyt via McPhetres

Hoyt has received 18" culverts for the Russell Road project. They are the next grade down but it is better to get them and get the project finished. Hoyt is getting stone from McCullough's- they have started crushing again. The crew is cleaning and ditching and getting ready to put culverts in. They had a problem with the Challenger tractor but were able to resolve it – it wouldn't shift, re-greased some fittings and now it does. The new truck should be delivered by the end of the week. McPhetres will talk to Hoyt about when the paving on Strafford Road will take place. Kevin Rogers did barter some work with Hoyt for the use of fill. Gary Mullen is going to reach out to Faye Sherman regarding his wood lot.

Rudi Ruddell noted that he has received the Morrill Road Atlas for review. If we want to rename the portion of the road that has caused confusion now is the time to update it. The Board agreed it was a good idea.

**ATV/UTV Usage on Select Town Roads-** Ian Mackenzie

Mackenzie is working on ATV/UTV use on select town roads. He has a small VASA affiliated group that is looking to interconnect with Vershire and Fairlee and to Barnard and Stockbridge from Royalton. He has been working with the Royalton Selectboard, Conservation Commission and Planning Commission. This club is looking to utilize Class 4 roads and the use of private landowner's property.

Mackenzie acknowledges there are possible cons to this use of the roadway such as noise, dust, and speed to name a few. To use an example, the City of Newport is using sheriffs to patrol the road and cite people for speed, noise, etc. Mackenzie's club would create a budget for the town for policing of these roads and ATV's.

Mackenzie also noted that his club will also help with maintenance of highly traveled corridors. Mackenzie's group notes that this is an outdoor activity no different than hiking or biking and that his goal is to enhance community events.

Mullen asks how many towns in the state are doing this. Mackenzie stated it was probably in the 40s. They need to be VASA affiliated clubs to use them. Mackenzie will provide a sample ordinance. Mackenzie also noted that VASA does not allow dirt bikes. VASA uses the same model as VAST and Tri-Town Travelers. If we were to do this correctly, it could have a very

positive economic impact on our area. His groups target is 50% private trails and they are looking to knock down road usage where they can. He will continue working with the town to come up with a policy or ordinance for the town to vote on during Town Meeting Day.

**Four Town Coalition Coordinator:** Meghan Asbury

Asbury is here to introduce herself. She is from Florida. Her roll in this position is to continue the efforts previously put into place. She is currently in the outreach stage and is working on one on one meetings. The next meeting is October 7<sup>th</sup> and she is hopeful one Selectboard member will be able to attend. Cilley will email with Asbury to set up a date to have her come to town and meet with us.

**Trails Committee Recommendation:** Laura Ginsburg

The Trails Committee Recommendation went out broadly. Ginsburg read over the recommendation to the group. This is not a complete policy to be voted on, but more of a starting point to build off of. They have been seeing more trail usage by people who don't live in town and then we see the issue of people not seeing signs or parking in the wrong spot. Three out of the four trails have wetlands that need to be reviewed and figured out prior to usage.

Ginsburg states again that this recommendation is a starting point for signage, wetlands, etc. We should limit the access to pedestrian use only until a policy is put into place as we do not want to damage the trails further.

This process has been long running and thorough. Ginsburg is presenting this at the onset of winter so we can pause and regroup to decide for the springtime what the best course forward is.

Ginsburg suggest this be a policy and not an ordinance. If it is an ordinance, how do we police it? It will be hard to figure out who it is and legal fees involved in getting this person fined. A policy will get the same affect. We could always decide to take it to an ordinance later on if we wanted.

O'Brien asked Ginsburg if she could annotate the recommendation. She stated she will bring in all the emails and information they have found.

The main concern with the trails is the water flow, quality and maintenance. Culverts require permits from wetland ecologists. If we didn't update the trails, the trails could stay open and no permitting would be required. If the trails are not maintained there is no trigger of water quality.

Landowners get special dispensation since it is their property. Ginsburg used the example of Cal Hemmingway who owns the property the Falls Hill trail goes on. He had his property logged and the logger used the trail and this is fine.

What defines an event? The trails committee and planning commission declined defining an event for this recommendation. At the Planning Commission level it is something that you pay for or that is tied to another organized event. The Selectboard has the opportunity to define an event.

The Town Plan is awaiting approval of the Selectboard. Ginsburg can add an addendum to reflect where we are in the Trails Policy.

What is the timeline the DEC has for permitting? Julie Follansbee is the contact for our town. She has stated that the permit for the Crossroad is not insurmountable.

### **Public Comment**

Cal Hemmingway- Discussing his “Trail to Nowhere”. He doesn’t believe signage will do anything and is unsure how this even became a legal trail. He has two main concerns. 1. Maintenance coordination and 2. Funding. Who pays? Who coordinates? Who is in charge of this? He would like to see an example of partnership with landowners. He thinks the draft recommendation poses more questions than answers. Todd Tyson asks Hemmingway if he would like to get rid of the trail. Hemmingway states that he has seen abuse from people and that if it were removed as a legal trail, he would make it available to pedestrians.

Matt Frost- Stated that the signage at the bottom of Fall Hill was removed. His father had requested that this forgotten road get turned into a legal trail. Frost wants to know what has changed that has turned this into such a town debate. There hasn’t been a large influx in bicyclists etc. Why are we making it into such a large debate? A lot of effort has been put in and put forth for what?

Lori Berger- She has seen a lot of trail use. She read a letter she wrote. Berger thinks the landowners are second class citizens in this process. It will cost money to update these trails and it will end up costing taxpayers. Why are we putting money in for a small group of cyclists? It should be for pedestrian use only.

Deb Mullen- Lives on the Crossroad. People park in her yard. Many things need to be addressed (parking) before anything is decided. When she built she was able to let her animals out without worry and she wouldn’t be able to do that now. Mullen believes there should be cables up.

Todd Tyson- Traditional use of legal trails was for all non-motorized use. Signage and appropriate public usage would be appropriate for non-motorized use. We would be an outlier/unique in the state if we did not allow bikes on our trails.

Anne \_\_\_\_\_ - Thinks Tunbridge should be unique. Three miles of trails will end up being more costly to maintain than regular road maintenance.

Anita \_\_\_\_\_ - Speaking on behalf of Priscilla Farnham. Farnham is worried about bikes on the fragile roads. Asking the Selectboard to adopt a policy for pedestrian use only. She is also worried about the impact of all of this controversy on the community.

John Echeverria- He thinks it is essential there is an ordinance. Need to have legal backing for this. He thinks that an event is determined by volume. He is worried about constant traffic. He believes that the biking may violate the wetlands law. He does not believe it is correct to let

bikers go over the trails. He thinks this is more complicated than it needs to be. He also noted that people can walk in wetlands.

Matt Frost- Thinks it should be an ordinance when it is decided. If we are talking about pedestrian traffic how do we enforce parking?

Brenda Field- She believes we need to be really careful with the wetlands. Also noted that if ATV's can use the Class 4 roads we will have a traffic issue.

Amy Frost- What she is hearing when she steps back from this is everyone thinking that their preferred choice of outdoor activity is better than someone else's. We need to think long and hard prior to taking things away from our community. No one is better than anyone.

Laura Ginsburg- A member of RASTA discussed their network previously. Ginsburg can reach out to see how they are handled on public lands versus private lands.

Daniel "Rudi" Ruddell notes that there were significant changes in the 2020 wetlands policy.

O'Brien thanks the Trails Committee and Planning Commission for their long hours and endless effort.

Liz York- Thinks the less said the better on the town plan regarding recreation.

McPhetres makes a motion for the trails to be pedestrian walking only until a decision is made. O'Brien seconds. So moved.

The Tunbridge Walking Group stated that they really appreciate the trails and the landowners maintaining them.

### **Betsy Gaiser Re-Appointment to the Conservation Commission**

Eliza Minnucci spoke to the Selectboard and asked them to reappoint Gaiser. Minnucci and Ellen Hosford aren't up for reelection again until 2023. O'Brien moves to appoint Betsy Gaiser to the Conservation Commission for a four year term. McPhetres seconds. So moved.

**Warrants:** Warrants were signed and approved.

### **Other Business:**

Judy Howe wants the Selectboard to address the oil tank at the Town Hall. Discussion of possibly changing it to propane and bury the tank.

Mullen- Policing Contact. Mullen asks Cilley to call Loretta Stalnaker to see if she can come back to the next meeting and if she could do \$15,000.

Minutes from September 14<sup>th</sup> send back for edits and August 24<sup>th</sup> meetings were signed.

McPhetres motions to adjourn. O'Brien seconds. So moved. Meeting adjourned at 8:55 pm.

---

Gary Mullen, Chair

---

Mike McPhetres, Vice Chair

---

John O'Brien, Clerk