

## Draft of Recommendation for town of Tunbridge Legal Trails

by Community/Communication Trail Sub-committee

August 12th, 2021

Our recommendation is based upon the information accrued by the three subcommittees of the Trails Committee...the environment subcommittee, the trail usage subcommittee, and the community communication subcommittee. (See information chart) We address each legal trail individually and present the information we have regarding that trail for consideration by the select board. It is our hope that the select board will have enough information to move forward with what is ultimately their decision regarding the legal trails. We do believe that there does need to be an ordinance written by an attorney in a clear and straightforward manner that follows the final outcome from the select board.

What is suitable use for trail now? possible future suitable use?

Falls Hill Legal Trail (.3 miles)

Summary: The town ROW goes to the 'height of the land'. The legal trail stops at that point. Beyond that point there are two landowners, one of whom has currently posted no trespassing signs (new this spring). The trail itself is very steep and currently has water runoff ditches following logging operation. The soil is thin and erosion is a constant threat. (See any info Rudi has re this) The abutting landowner does not want wheeled vehicles using the trail for many reasons but primarily concern for erosion and the fact that the trail ends in middle of his land. The land cannot sustain prolonged use or volume of wheeled vehicles (See letter from abutting landowner for more precise details) The abutting landowner is agreeable to walkers and VAST trail use in the winter. Landowner is opposed to any wheeled vehicles including motorized ones.

Recommendation to select board: Falls Hill legal trail limited to foot traffic only and VAST trail use only.

Baptist Hill Legal Trail (.7 miles)

Summary: Baptist Hill Legal Trail has been largely unused for decades. A large section of it is considered to be wetlands...(class 2? and class 3?). Any trail improvement along the class 2 sections might require the town to apply for a state wetlands permit in order to make any changes for it to be used by wheeled vehicles. At this time it is not a desirable route for either walkers or equestrians. There are three abutting landowners, two of whom do not want wheeled vehicles. (The third landowner has not yet been interviewed) It is also a fact that the abutting land would be closed to everyone including a section of the VAST trail should wheeled

vehicles including motorized ones be allowed to use the Baptist Hill Legal Trail because it is a town ROW.

Recommendation to select board: Baptist Hill Legal Trail be limited to VAST trail use only.

#### Cross Road Legal Trail (.73 miles)

Summary: There are wetland issues with The Cross Road including a brook running across in one place and other wetland issues. (Rudi can give more precise detail regarding the wetland issues with this trail...is it class 2? so a state permit is needed for any work done to improve the trail? for which the town would need to apply? Over the past year there has been a noticeable increase in volume of use of the trail primarily by bicycles and horses. Two of the four abutting landowners are concerned about and have dealt with illegal trails on their properties as go arounds when the Cross Road is blocked or too wet and gullied to ride or walk. Abutting landowners are also very worried about increased volume of trail usage. They do want trail to be used and understand it is a town ROW. However, they would like volume of use to be limited and to be notified when it is more than 20 users at once.

Our recommendation to select board: Use of The Cross Road be limited to foot traffic only at this time.

Groups (horse events and/or bicycle events) wanting to use The Cross Road for specific events could apply for a permit from the town to use The Cross Road for the specified event.

This trail could be amenable to mixed use in the future. Bicycle and/or horse groups could work together or separately to present to the select board a plan for trail improvement that would address wetland issues for town and landowner concerns regarding trail use.

#### Orchard/Moody Road Trail (.72 miles)

Summary: There are wetlands issues in several places along this trail. (Rudi needs to clarify if it is class 2 and/or class 3 wetlands and whether permits from the state for which the town would need to apply would be required for any work to improve this trail) Wetlands increase the possibility of alternate trails being carved out by users to avoid the wettest areas causing greater environmental harm. There are two landowners who abut this trail. One of them does not want wheeled vehicles using the trail abutting their land. The other landowner has concerns about the disruptiveness of bicycles using the trail especially with an increase in volume and/or large events as well as not seeing an economic benefit for Tunbridge. Both landowners are open to multiple recreational uses including hikers, equestrians, snowshoeing, skiing, hunting and VAST trails on their respective lands. Both owners would like to see a town ordinance that

benefits the entire community with limits for specific recreational uses or recreational groups on the legal trail.

Recommendation: Use of Orchard/Moody Road Trail be limited to foot traffic only.

The select board needs to consider whether the balance of 325 acres of private land being cut off from use by all Tunbridge residents (including existing VAST trails, equestrian trails, hunting, skiing, snowshoeing, hiking) is worth allowing wheeled vehicles (bicycles) access to the ROW. The VAST trail is a major connector to other VAST trails and would be a major loss to snowmobilers in this region.

The select board also needs to consider the wetlands issues on this trail as well and the state permitting process for any improvements along the trail.

The select board needs to decide whether the town wants to support cooperative agreements between the town and private landowners going forward or whether the town wants to support adversarial relationships with landowners in town...beyond this one legal trail...the decision will set a precedent going forward regarding public/private cooperative agreements for town recreational uses of both public and private land.

Closing: The abutting landowners have uniformly expressed their deeply held belief in being 'good neighbors' and wanting land to be open and not being forced to post no trespassing signs. (Vermont's land sharing tradition) There is also respect for and acknowledgement of the town ROW on the legal trails. The town of Tunbridge can decide to conserve and preserve 2.45 miles of legal trails now and at the same time recognize the need to develop a comprehensive town trails and corridors plan that considers many recreational uses concomitant with an increased number of users and management thereof. Our recommendation is as follows:

**\*\*Foot traffic only on all of the legal trails\*\***

**\*\*Ordinance which states above\*\***  
(differentiated from town class 4 roads)

The town of Tunbridge select board can also decide to formalize the Trails Committee to lead and closely coordinate with the recreation committee, the conservation commission, the planning commission, the town forest committee and interested recreation groups and private landowners to develop a comprehensive town trails and corridors plan for Tunbridge. The legal trails may or may not be part of this plan. Communication, coordination, conservation and mutual respect must be the underpinnings of such a plan. This will take time to do and may happen one section at a time.