

tunbridge.adm.assist@gmail.com

From: Meg Hopkins <meghopkins930@gmail.com>
Sent: Tuesday, 27 June, 2023 11:50 AM
To: tunbridge.adm.assist@gmail.com
Subject: Legal Trails

Hello Selectboard,

I am writing to let you know that I support the legal trails being open for mixed use including bicycles and horses. My family often travels to other towns to access trails because of the confusion over this issue. If we knew that the trails were open, we would certainly use the trails in our town. Many other towns are expanding trail systems, which is why young families might move to the town. If we want to attract people to live in our town, we need to make recreation opportunities clear, safe, and accessible. Recreation is incredibly important. It's how we spend our free time. Unfortunately, don't think of Tunbridge when I think of recreation. I think of Randolph, Rochester, Pomfret, Barnard and Sharon; those towns are all about TRAILS.

Thanks,
Meg Hopkins

From: Susan Dollenmaier <sdollenmaier@anichini.com>
Sent: Tuesday, 27 June, 2023 01:07 PM
To: tunbridge.adm.assist@gmail.com
Subject: response concerning legal trails.

Dear All,

Thank you for your ongoing commitment to this lovely town.
It is very much appreciated.

While I have never met John Echeverria or his partner,
I have communicated with him since they purchased the
Dodge Farm. I was concerned, along with many others,
about the potential sale of this priceless piece of property.

I have found him to be fair and articulate. I did not find him
to be heavy handed in any way. His offer of a compromise
underscores his intention to be make things work for all concerned.

Personally, I feel that the trails should ONLY be used
for walking/hiking etc. But I also realize that there are now
many new people, both local and out of the area, that are
avid bikers; my own family included.

The offer of this compromise is a generous one. We are in need
of more intelligent land stewardship as the population here
increases. We should be thankful that this land has been set aside
for the future by a forward thinking conservationist.

Thank you for your attention.

Susan

Susan Dollenmaier
Founder

ANICHINI
Enlightened Luxury

sdollenmaier@anichini.com
Anichini.com

June 26, 2023

Dear Tunbridge Selectboard:

I'm writing today to offer input on the upcoming June 27th selectboard agenda item, "Legal Trails Discussion."

Three years ago, I never would have anticipated where we are now, in the midst of what may end up being the most exhaustive public process in the town's history, a process in which I have participated since its origin when I was a member of a committee that came out of the 4-Town planning effort conducted by the Vermont Council for Rural Development (VCRD) in 2019.

Following the VCRD Community Visit initiative, a committee with representatives from the four participating towns was created during the winter of 2019/2020 to explore the idea of mapping gravel bicycle routes in the Strafford, Sharon, Royalton, and Tunbridge region to be promoted as a tourism resource for what is currently a very rapidly growing segment of bicycling enthusiasts nationwide.

During the early meetings of the committee, members agreed with my suggestion that the mapped gravel routes should be limited to Class III roads so as not to create undue impacts on unmaintained town rights of way by encouraging their use to the masses via the swiftly expanding crowdsourcing internet apps, organized gravel rides, and travel and tourism promotion.

After the 4-Town committee agreed to limit its maps (and promotion) to Class III roads, the organizers of two local gravel rides (Alex Buskey, for The Ranger, and Todd Tyson, for the Royalton Public Radio fundraising gravel ride) joined the conversation, arguing that all public rights of way should be considered for the mapped recreational routes, including legal trails (which those organizers had hoped to use for their events, utilizing both The Crossroad and the Orchard Road legal trails in Tunbridge).

Next up, at the August 25th, 2020 Tunbridge selectboard meeting, there was an item on the agenda titled, *Legal Trails*, at the request of Todd Tyson. Mr. Tyson asked the selectboard to clarify whether or not there were any restrictions, of any type, on the use of the town's legal trails. At that meeting, the Board confirmed that there have been no definitive restrictions made by past Boards on legal trails.

The nearly 3-year public process that was initiated in follow-up to that August 25th meeting has been both exhaustive and exhausting. Unfortunately, through the intervening years, the issue has now seemingly morphed into a narrowly focused battle, complete with villains and long-suffering heroes, depending on one's point of view.

Sadly, rather than sticking with the issue of establishing a policy or ordinance laying out which uses are appropriate for each of our town's legal trails, the discourse has devolved into pointed attacks (for which there has been a target on my own back, including angry, threatening words that were cast my way at the very first meeting of the Trails Committee). Those of us who have weathered on have had to steel ourselves against the public vitriol and personal attacks that have so openly spilled into the process.

Based on my own experience, I understand the unenviable position that the Selectboard finds itself in today with regard to, 1) the original issue of defining appropriate uses for a public resource, and, 2) being faced with a legal question regarding trail maintenance on private property.

As a former natural resource planner, as well as one who has spent much of his career advocating for bicycle/pedestrian access and safety, I am more qualified to speak to issue number 1, appropriate use.

Three of our town's legal trails pass through State protected wetlands and ecologically sensitive areas, while also coming within very close proximity to private residences. Either of those factors could be good reason for placing limitations on more invasive or intensive uses. The Planning Commission and the Trails Committee, in their recommendations to the Selectboard, advised that, before any decisions are made and policies/ordinances are adopted, professional evaluations should be conducted for each of the ecologically sensitive legal trails and that a plan be approved to insure adequate protection of the resource (including the potential relocation of the trails).

Ten days ago, I was reminded by a former colleague, Ned Farquhar, in his editorial published in VTDigger that, "Stewardship is not only about managing uses — it is also about leaving some areas alone."

Mr. Farquhar goes on to say that,

"Mountain bike groups should work with local conservationists to make sure the mountain bike trails network avoids ecologically sensitive areas, including habitat, endangered and threatened species, wilderness qualities, and water sources.

"And we don't need to start with the assumption that every trail, for hiking or anything else, is a multi-use trail by definition, including mountain bike use. Let's leave some areas for people who want to walk or hike quietly with young children, who value quiet solitude and wilderness values."

(Mr. Farquhar is particularly qualified to speak on the topic as he has been directly involved on both sides of the issue. He is the former director of Mad River Path, former president of Friends of the Mad River, former executive director of the Vermont Natural Resources Council, and former deputy assistant secretary of the U.S. Department of the Interior.)

I wish I could conclude these comments on a note of optimism, but I am greatly saddened by the harshness of the conversations surrounding this issue and the strain it has placed on relationships between neighbors, including those from neighboring towns, over the past few years. In a state where the vast majority of the lands, including the opportunities for retaining or expanding access, are held in private hands, I fear that the lasting effects of such a bitter, uncompromising line-in-the-sand battle may not bode well for future opportunities to work with those private land owners who have given so generously of the special places in their care, as well as those who may now find themselves distrusting and close the doors.

I'm hopeful that, in the end, there will be thorough consideration of all that has been brought to the table over the past 3 years of public process, rather than a reliance on a final get-out-the-vote effort. I'm hopeful that compromise positions can be found, and that we can begin to repair the community relations that have suffered greatly along the way.

Thank you for the opportunity to comment.

Kevin Rose

tunbridge.adm.assist@gmail.com

From: Amy Frost <asf802@gmail.com>
Sent: Wednesday, 21 June, 2023 06:07 PM
To: Tunbridge Administrative Assistant
Subject: Fwd: Your Tunbridge town legal trails preference
Attachments: Selectboard response TQ.pdf

Flag Status: Flagged

----- Forwarded message -----

From: **George White** <georgewhiteandco@gmail.com>
Date: Wed, Jun 21, 2023 at 11:57 AM
Subject: Your Tunbridge town legal trails preference
To: George White <georgewhiteandco@gmail.com>

Dear Tunbridge neighbors,

Maybe you have heard the buzz regarding the town trails? Whether or not you use this town owned resource that have a long history and a tentative future.

I'm writing because the long suffering members of the select board are asking for your help to understand what the people want. They need to know what you think about how the Tunbridge town legal trails should be used. They will be voting at the next meeting and could use the broadest possible poling of what people think best.

The question at hand is simple. Should legal town trails be open to the traditional uses or be restricted. The options at this time being voted on are:

For non motorized uses.

For hiking only.

Please use this link to send a message with your preference. Please keep your message as brief as possible.
<mailto:tunbridge.adm.assist@gmail.com>

Here is are some comments for some of your neighbors and the select boards message going out to the Tunbridge Quarterly coming up.

Thank you,

G

George White & Co. LLC
Fine energy efficient Homebuilding
[77 Kibling Hill Road](#)
[Tunbridge, VT. 05077](#)
[Office 1-802-889-5637](#)
[Cell 1-802-356-0440](#)

"The trails have been closed for three years due to the actions of a litigious landowner. This landowner has hired two law firms and filed two lawsuits; his arguments have been constantly changing and frequently contradictory. It is clear that he is not interested in resolving this issue except on his terms.

The Planning Commission and Trails Committee, working with interested residents, came up with a reasonable policy for use of the legal trails two years ago. The policy called for re-opening all trails except Baptist Hill Road to non-motorized traffic, while closing trails seasonally and prohibiting their use for large-scale activities such as bike and horse events. The Tunbridge Town Plan also contains a recent statement from town residents on the importance of trails and advocates for maintaining legal trails rather than throwing up town rights-of-way."

"If memory serves, at least one of the individuals in question began this whole process by erecting his own barriers blocking the town right-of-way, creating his own signs and rules for use of Tunbridge's Legal Trails, and accosting Tunbridge residents who were trying to use the trails the way they had historically done. He then escalated matters by threatening user groups such as the Tri-Town Travelers if the town did not acquiesce to his one-man rule when it came to how townspeople used their own trails. Rather than issuing a citation to this individual for impeding the use of town trails, the town engaged in lengthy discussions and meetings trying to meet this individual half-way. Refusing to take yes for answer, he instead sued the town. (Contrast this with the Tunbridge residents on Route 110 who were ordered by the State to move a new stonewall — at a cost, no doubt, of hundreds if not thousands of dollars — because it encroached on the state highway right-of-way by mere inches.)

It is clear at this point that trying to compromise and placate implacable individuals who apparently are used to getting their own way in all matters is a fool's errand. Instead, I urge the Selectboard to issue a policy that reverts to the historical use of the trails by a mix of people — walkers, bikers, horseback riders, runners, skiers, etc. Let's all get back to using the trails while we wait for the interminable and frivolous litigation to run its course."

Many Tunbridge residents may not be aware of a recent controversy concerning legal trails in Tunbridge; we, the selectboard, would like to raise awareness of this controversy as it has necessitated the spending of a significant amount of taxpayer dollars.

Until three years ago, legal trails (defined as legal rights-of-way and/or downgraded Class IV roads) were open to travel by all, regardless of mode. Landowners were aware of these trails and, until recently, coexisted with the occasional hikers and bikers who used them to cross their property. But times change, and with them, the use of these trails has changed in unexpected ways. Cycling, in particular, has grown immensely, as evidenced by the recent Ranger ride held in Tunbridge.

An out-of-town landowner has raised issues about use of trails by any wheeled vehicles, in particular, bicycles. He believes he has the authority to regulate the means that people use to travel town trails that cross his property. He has chosen to sue the town, seeking to exercise that authority. As of this writing, the town has been forced to spend over \$14,000 in legal fees to defend the rights of all people to use the trails.

In the interim, the selectboard made the decision to limit access to the trails to walkers only, in an effort to keep them accessible to the public and in an attempt to neutralize the situation and forestall additional legal fees while waiting for the courts to rule. Thus far the court has ruled in favor of Tunbridge, but more lawsuits (and more legal fees) are on the horizon.

The intent of the selectboard is to come to a resolution that will be satisfactory to all- landowners, walkers, and cyclists. Proposals have included requiring permits for large-group use, restricting use of trails in environmentally sensitive areas, limiting trails to walkers only, or the construction (at town expense) of alternative routes that protect landowner privacy.

The selectboard is soliciting public feedback on this issue. More detailed history of the legal issues, complaints, and rulings to date are available at the town offices. The selectboard takes its job protecting the interests of its citizens- as residents, taxpayers and landowners- very seriously. So far they have dealt with accusations of partiality from both sides, and are being forced to engineer temporary compromises that they hope will limit further financial damage to the town.

To: Tunbridge Select Board

Gary Mullen
Mike McPhetres
John O'Brien

cc Mariah Cilley

Sirs;

We think that the select board needs to stand by their recent vote on 5/23/2023 to continue with foot traffic only on the legal trails. There are too many unresolved issues with each of the trails to move forward despite the ongoing push to do so.

There have been countless hours spent by volunteers across several different town committees/commissions gathering information to give to the select board so you can make an informed decision. This process has led to positive interactions between different committees and a series of events and plans for future development of the town forests for recreational use. The trails committee has done a lot of research about trail building, maintenance, and started to build relationships with private landowners.

If the select board decides to open the legal trails to all, as is, despite litigation and in spite of private landowners concerns, you will be setting a precedent to disregard private landowners going forward. It is not just one landowner regarding legal trail concerns and it is wrong to simplify this controversy in newspaper articles or elsewhere by attributing it to same.

You will also be setting a precedent to disregard all the work over three years done by town volunteers. Everyone is tired of the conflict and there are divisions in town that will take years to heal. The atmosphere in town about this issue is hostile and it is difficult to speak without feeling under the threat of a verbal attack.

There have been repeated offers to reach a compromise on more than one of the legal trails. There has not been an open non-threatening conversation regarding possibilities of alternative trails. This is unfortunate because there are many grant opportunities, both state and federal, for opening trails for all kinds of recreational use for communities. Small towns in Vermont have formed private/public partnerships and provide positive recreational opportunities for town residents.

It is more than time to stop arguing, vilifying landowners or anyone else who may differ with the loudest voices insisting on their own way. Let's find middle ground, find a way to respect private landowners and accommodate bicyclists' desire for connector trails.

Hire a mediator to work with landowners, bicyclists, and other interested parties to reach an equitable compromise. Move away from conflict and work together to develop a town trails and corridors plan that allows many recreational uses and that can support an increased number of users and the management thereof. This will take some time but can happen one section at a time. There are already some basic 'building blocks' in place to do this. The missing ingredient is a collaborative approach. If PA can reopen I-95 in Philadelphia in two weeks through a can-do and collaborative process, Tunbridge ('darn near perfect') ought to be able to find a way through as well!

Enough is enough!

Ellen Hosford, Betty Brown, Maureen McCullough, Susan Salster, Lydia Flanagan, Margaret Rogers, Bettina Borders, Mary Merchant

To: Tunbridge Selectboard

Gary Mullen
Mike McPhetres
John O'Brien

Gentlemen,

This is in response to the resent letter to the editor in the White River Valley Herald, for feedback to the Legal Trails issue.

As a resident and Conservation Commission member I have been following and am aware of the Legal Trail controversy. I know much research has been done, and information gathered has been shared with the Selectboard.

I applaud the May 23rd decision by the Selectboard to limit use of the Legal Trails to walking only. A plan needs to be developed to make these trails safe for use...and that has to be determined and voted on only by the Selectboard as written in the Vermont statutes.

I urge and support the Selectboard to work with the landowners in a collaborative manner, considering the environmental issues and impacts of various trail usage, and I urge the Selectboard to develop an ordinance to govern this usage.

I cannot imagine any resident of Tunbridge wanting large groups of any users going through their dooryard! This could become the reality for landowners with Legal Trails crossing their property!

Respectfully,
Maureen McCullough

To: Tunbridge Selectboard

Gary Mullen
Mike McPhetres
John O'Brien

cc Mariah Cilley

Sirs,

I and others have enjoyed the opportunity to ride horseback on the Dodge Farm with permission of the landowners and hope the resolution of the dispute over Orchard trail will preserve public access to the Dodge farm for horseback riding and many other kinds of public recreation.

The State of Vermont has acknowledged that the program to establish public rights of way through formation of Legal Trails from ancient and discontinued roads has been flawed and has caused discontent in communities leading some to legal battles with landowners and property rights. In this, Tunbridge is not unique in the struggle.

As a member of the original Trails Committee, I have been involved in this lengthy, exhaustive process. We have had input from Commissions, professionals and the public and collected volumes of evidence-based research. There has never been a recommendation to reopen the trails to all users before a professional wetlands expert has made an evaluation. The 2021 recommendation from the Planning Commission and Trails Committee suggested that each trail be dealt with separately and a plan approved before reopening the trails. Your May 23rd decision was correct in waiting to reopen the trails to all uses, pending the unanswered questions and presentations of plans. The intention was that the trails would not be opened to bicycle use until each trail could be repaired, the wetlands protected, and maintenance plans put in place.

Unfortunately, your decision has led a group of bike users to argue the decision with no plan offered, in advance of any repair or maintenance of the trails, and only with falsehoods and half-truths and disturbing publicly accessible vitriol.

The pending lawsuit is not the fault of a single landowner, but rather by inaction. Mr. Echeverria has been to every Planning Commission, Trails Committee, and Selectboard meeting when the Legal Trail subject was on the agenda. He has continually offered his willingness, money and hope for a compromise that meets the needs of everyone.

I am angry that 3 years of work by volunteers who have given hours and days of their time researching, talking with landowners and abutters, experts and other municipalities could be dismissed. I am angry that a landowner that has opened his beautiful property to the public, inviting walkers, skiers, VAST users, and horses, has been villainized. I am angry that this invitation of public access could be in peril. If this happens, it would not represent the interests of all the citizens of Tunbridge. You may receive more input from the angrier segment of this discussion. Consider the substance of their arguments in comparison to the many citizens who may not want speak up but use the trails, or those who don't think it impacts them. I would think that most would wish, as I do, that landowner rights to privacy, the environment and enjoyment of what Tunbridge has to offer to all would prevail.

Selectboard, you have made the correct decision to keep the trails open to walking only, which ensures the public's right of way, until these issues are resolved.

The Trails Committee under chair Jonathan Bicknell have started our work, are building resources, relationships, collaborations with other Town organizations, and plans to offer Tunbridge more recreational opportunities. We are ready to move forward for the future. We just need your support in this effort to make this successful.

Thank you,
Susan Salster

From: John Echeverria <JECHEVERRIA@vermontlaw.edu>
Sent: Saturday, 24 June, 2023 08:35 AM
To: Gary Mullen; Mike McPhetres ; John OBrien
Cc: Jonathan Bicknell; Amy Frost; Carin Pratt ; Mariah Cilley
(tunbridge.adm.assist@gmail.com)
Subject: Interim Trail Regulation

Flag Status: Flagged

Dear Selectboard,

This is to follow up on the Selectboard's June 13 meeting and to express why I think the Selectboard made a good decision on May 23 to maintain the interim walking-only policy for the legal trails pending resolution of the question of whether the landowners – or the Town – have the legal authority to repair and maintain the trails.

Intensive Public Use of Trails Requires Repair and Maintenance. It is common sense that trails need to be repaired and regularly maintained by someone if they are going to be opened for intensive public recreational use. Without repair and maintenance, trails fill up with blow down and suffer erosion, and culverts and bridges in the right of way collapse. Without footbridges or boardwalks across wetlands, wetlands are vulnerable to unnecessary damage. And the trails are not safe. Accordingly, trails in the region that are open for intensive public recreation are regularly repaired and maintained.

The Planning Commission, in developing its recommendations for the Selectboard, proceeded on the understanding that the legal trails in Tunbridge could not be opened for intensive recreational use until they were repaired and maintained. Thus, the recommendations it delivered to the Selectboard in September 2021 stated, with respect to the Crossroad, "Given the current trail circumstance (lack of signage and maintenance has led to users leaving the trail and going onto private property), this trail is closed until maintenance can occur, paired with clear signage." With respect to Orchard trail, the recommendation was, "Until this trail can be reviewed by the State District wetlands Ecologist, it is open only to pedestrian use when the ground is frozen, "and "[a]fter review a plan will be developed for use of the trail." Since receiving those recommendations, the Selectboard has limited the trails to pedestrian use.

Now, the bicycle advocates propose to throw common sense and the Planning Commission recommendations out the window and urge the Selectboard to open the legal trails to intensive recreational use without any repair or maintenance of the trails. The legal trails in Tunbridge are not suitable for intensive recreational use, and they are not safe, in their current condition. There is extensive blowdown in most of the trails and deep erosion in some areas. Opening the trails to intensive recreational use would cause unnecessary damage to the wetlands in the trail rights of way. The selectboard should reject the bikers' irresponsible and destructive proposal.

The Maintenance Litigation. I understand that progress on resolving the trail issues has been slowed by the lawsuit I and my wife Carin Pratt filed seeking resolution of the issue of whether we and other landowners – rather than the Town – hold the legal authority to decide to repair and maintain trails. But I raised this issue early on in the trail discussions. The basis for our position is very straightforward. Until 1986, the legislature conferred discretionary authority on towns to maintain legal trails (and class 4 roads); but in 1986, the legislature changed the law, removed trails from the town highway systems, and eliminated town authority to maintain legal trails. Despite my efforts to persuade the Town, the Town has adopted the position that the

Town (not the landowners) hold trail repair and maintenance authority. Under the First Amendment, Carin and I have a clear legal right to go to court to obtain a resolution of this legal dispute, especially because the Town's claim of authority intrudes on our rights in our land. Carin and I wish that the litigation could have been avoided. But we cannot fairly be faulted for seeking to vindicate our legal rights when we think we are right about the law and the Town is wrong.

The Town's Lawyers' Delaying Tactics. I also understand the frustration, which we share, with the slow pace of the litigation. When we filed the litigation, we anticipated a speedy judicial resolution of our request for a declaratory order regarding repair and maintenance authority. We thought the Town shared that hope. But the attorneys for the Town have made every effort to avoid a resolution of this legal question by raising procedural objections to our lawsuit in the superior court. Carin and I and our attorneys stand ready to do everything we can to expedite the resolution of this lawsuit on the merits. If the Selectboard is unhappy with the pace of the litigation, we urge you to meet with the Town's attorneys to seek their advice on how to expedite the case.

The Value of Compromise. Now or in the future, the litigation notwithstanding, we stand ready to work with the Town to come to a compromise that meets our objectives for the quiet enjoyment and safe use of our property and also provides for public use of the 325-acre Dodge Farm for a variety of recreational purposes, including biking, snowmachining, hiking, skiing, hunting, and horseback riding. A compromise is the only way to achieve an outcome that respects and provides some measure of protection for every stakeholder interest. It is also likely the only way to finally resolve a dispute that has gone on too long. Similar compromises are attainable for the other legal trails in Tunbridge.

We have proposed a potential reroute of the Orchard trail that meets the bikers' desire for a "connector" through the Dodge Farm. Members of the Planning Commission and the Trails Committee walked the proposed reroute. While they thought the proposed new trail presented some challenges, they recommended to the Selectboard that the Town hire a natural resource specialist to study the route. We agreed to cover the cost of hiring this person (with the understanding that the Town would select and supervise the person). Unfortunately, for reasons I do not understand, the Selectboard never took up this recommendation. At the last Selectboard meeting, one individual stated that there has been intensive study of the proposed re-route and there was a consensus it was not feasible; with respect, it is not accurate to say this option has been intensively studied or that enough information has been gathered to support any kind of consensus. We also have offered to help cover costs associated with the new trial.

Achieving a compromise on the legal trails in Tunbridge would not only resolve the legal trails dispute but also support and encourage the ongoing efforts by the Trails Committee to develop voluntary agreements between landowners and the Town for the use of other private lands for a variety of public recreational purposes. On the other hand, failure to achieve a compromise on the legal trails would undermine those efforts by casting doubt on the ability of landowners and recreational users to work together and sowing distrust between landowners and recreational users.

Thank you for your consideration,
John Echeverria

Sylvie Desautels- Dear Members of the Select Board, I am a resident of Tunbridge for nigh on to 40 years, an avid cross country skier and hiker. One of the reasons I stay in Tunbridge is for the joy of being able to play in these beautiful hills. The legal trails are a blessing that should not be intruded on. I propose that the select board come up with a policy that will be reviewed in 3 years after implementation. We will see if the trails have been misused or degraded and can make adjustments then. I support continued use for non motorized vehicles, hiking, biking, cross country skiing and horseback riding without allowing for large scale events. Without knowing if this a legal liability, I would support the town to have work days to help maintain trails. Truth be told, trails can erode simply due to heavy rains and get obstructed by winter blowdowns. In order for trails to remain functional, some trail work is always needed. Thank you and all the Tunbridgians who have worked diligently in dealing with this subject. I look forward forward to using the trails without worry and hope to see you out there enjoying our great resoures.

Anissa Morrison- Please let the selectboard know I support using the town trails for more than hiking. When one purchases a property it is our responsibility to know the details. If someone does not want bikes or horses traveling on a town right of way that traverses the property they should not buy the property. It is not okay to bully others into limiting access by claiming you will limit other access.

Robert Soucy- I'm casting my vote for the legal trails vote. My vote is Hiking Only. No organized large groups of bikes. Please nothing motorized on the trails.

Amy Frost- Yes! Trails legal town trails should be open immediately for all non-motorized use.

Susan Dollenmaier- Hiking only and definitely no organized large groups of bikes. Thank you for all you do.

Nancy Howe- Non-motorized, the one exception being seasonal VAST trails usage to continue as in the past.

Jim Ludwig- I am fully in support of whatever measures the Select Board deems necessary to open any and all town right of ways for non-motorized use by peaceful and law abiding citizens. Thank you so much for your selfless efforts.

Chris Wood- Tunbridge legal trails should continue to be used for traditional (non-motorized) uses. I don't support further restrictions.

Judy Stabolepszy- Please open the trails back to their historic use. Thank you for your consideration.

Bonny Whalen- Borrowing part of wording from another town member: I request that the Selectboard issue a policy that reverts to the historical use of the trails by a mix of people — walkers, bikers, horseback riders, runners, skiers, etc.

Fern Strong- I am responding to the request for input on the long standing issue of the use of legal trails. This has been going on too long and should have been resolved by the select board using the information provided by the state ecological conservation experts, Tunbridge Trails Committee and public comments and testimony already submitted to the Trails Committee.

The animosity that this has caused has divided the community. Some of the hostility expressed towards landowners will possibly prevent other landowners from opening their land for public use.

There has been no flexibility on this issue by some which has prevented compromise and workarounds. Please do not be too hasty and change the current status of the legal trails without hearing the voice of the entire community.

Nan Frost- I am writing in support of keeping historic trails open to non-motorized activities such as hiking, horseback riding, biking and wintertime skiing and snowshoeing. I live adjacent to a Class IV road and another trail often used by walkers, less often by bikers, and in conjunction with our fields by cross country skiers. I have never had cause for complaint due to any of these activities: no loud voices, no beer cans or other trash, and nothing other than friendly waves or greetings. I am absolutely not in favor of races or rallies, crowds of that sort, but other than that...hope the issue can be resolved in favor of historic trails kept open.

Anne Linehan- Gary Mullen's letter in yesterday's Herald urged people in Tunbridge to write to the Selectboard about the Legal Town Trails issue. Legal Town Trails should be open to all non-motorized recreational activities, including bicycles. Thank you for the opportunity to comment.

Marybeth Lang- Please keep our town trails open for various use as it has been. Thank you!

Tess Mix- I fully support allowing those on foot, horse, skis or non-motorized 2 wheels (bikes!) to use the town trails. I believe this is a reasonable limitation on use of the trails. It respects the Town Plan's charge to preserve legal trails for future generations. Please give back access to all.

From: Michael Sacca <mfsacca@gmail.com>
Sent: Tuesday, 27 June, 2023 03:05 PM
To: Tunbridge Adm. Assistant
Subject: Legal trails comment

Hi Mariah,

Please add this message to what I hope is a stack of them!

Thanks,
Michael

To the Selectboard,

Thanks for reaching out to the community via the TQ to enlist comment regarding the public right of way issue brought forth and aggravated by a “land takings” expert and former professor at VLS. It’s been a long road, (a long and *public* road) which has not been easy for anyone, especially you three.

A few thoughts.

It appears what is underway is a land grab by Mr. Echeverria. He purchased the land in 2016 knowing it had a two public ROWs on it and is insisting on a change of use in order to suit his own needs, wants and desires. We have seen he and his lawyers try one outlandish scheme or angle after another. Apparently the only sense he has is in his wallet.

He has reached out to compromise, to have a mediator come in for one reason: because he is in a losing position. People ask for a compromise when they know they don’t have a strong or plausible case. Tunbridge does not need to engage a compromise because in the process the town will lose something that we now have (rights) and Mr. Echeverria will gain something he didn’t have, his desire to oust the public from using the trails as they have for a long time. That is unacceptable. I am aware that this process is costing the town taxpayer money but please dig deep, tighten belts, refrain from buying that new piece of town equipment this year in order to see this through. He is waiting for the town to back down due to the expense. Do you really want to be seen as bending to a rich person? Right always wins over might, and dollars.

The threat to the select board and Tunbridge residents to close down his land is a separate and unrelated issue to public ROW/Legal Trails. He may be bringing it up to confuse the issue and matter at hand, especially to those who may only know a bit about issue. What he does on his own land is his business, what he tries to do on the public right of ways is the towns business- two very separate issues. By threatening the town he is setting himself up for failure since the town should (will?) never back down or compromise itself due to a threat by a landowner. His claims to shut down access to his land for walking and snowmobiling is his to decide, it has nothing at all to do with the two public ROWs that cross his land.

John O, please recuse yourself when and if a vote on maintaining the trail use as it comes before the selectboard. It is a direct conflict of interest since you own land. You are in a position to change how a legal trail is used which has a direct financial impact on the worth of your land if you or your dependents ever sell. Your constituents demand transparency, and I’m sure you would agree it is expected of elected town officials. Ethics matter.

At a time when all sorts of basic rights are being threatened or taken away in some parts of the country, let's act to keep public access to town land open. Once we lose it, the right is gone. With interest in outdoor activities on the rise, we cannot afford to lose any land or access to the legal trails in Tunbridge.

I urge the selectboard to maintain the use of all legal trails to be open to all, perhaps even motorized uses since it may be the only fair way to move forward to meet all residents needs and desires.

Sincerely,
Michael Sacca

From: Betsy Gaiser <betsygaiser@gmail.com>
Sent: Tuesday, 27 June, 2023 02:26 PM
To: Tunbridge Administrative Assistant
Subject: legal rights of way in Tunbridge

Good morning Mariah,

At the request of the SB for more input on this issue, please put my vote down as being a strong supporter of keeping the legal trails open to all non motorized uses as it has always been. The trails committee has heard from a lot of folks about this issue over the past 2 years and I don't think having yet another public informational meeting about it is helpful at all.

The SB needs to put the interests of the people of Tunbridge ahead of their personal wishes. Perhaps John O. should recuse himself from the vote and discussion as it appears there is a personal conflict of interest that may go back a generation in his family over access to the Moody to Orchard road link.

Thank you for including my comments.

Betsy Gaiser

tunbridge.adm.assist@gmail.com

From: Felicity Swayze <felicityswayze@gmail.com>
Sent: Wednesday, 28 June, 2023 08:25 PM
To: tunbridge.adm.assist@gmail.com
Cc: Rob Soucy
Subject: Town Trails

Flag Status: Flagged

Just received notice about next meeting. As you know, I am still the owner of 56 Swayze Road, though I live down here in Wilder. My vote for trail use is hiking only. No wheeled vehicles. Horseback o.k.

Best to all,
Felicity Swayze