

Agenda
Warren Selectboard
July 12, 2022
6:30 PM
Warren Municipal Building or VIA Zoom

Changes

- ✓ 6:37 PM – Road Access Request – Dotty Kyle – West Hill Extension – Dotty Kyle
- ✓ 6:50 PM – Green Mountain Stage Race Road Use Permit – Gary Kessler
- ✓ 7:00 PM – GSI – Ben Hagen, Sugarbush Access Road – Final Report
- ✓ 7:30 PM – Mitchell Pickford Dog Attack – Preliminary Hearing – Mitchell Pickford
- 8:00 PM – Approval of Minutes of June 24, 2022 & July 6, 2022
- 8:05 PM – Approval of Accounts Payable & Payroll Warrants
- 8:08 PM – Other Business

\$56,212.58 \$29,775.38

Ongoing:
ARPA Funds
Town Garage
Warren Falls

Town Of Warren is inviting you to a scheduled Zoom meeting.

Topic: Town Of Warren's Zoom Meeting
Time: Jul 12, 2022 06:15 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us06web.zoom.us/j/89390954264?pwd=Vkl0OHkvQTNhWVd5U2Q5Y21TN0wxZz09>

Meeting ID: 893 9095 4264
Passcode: 903289

One tap mobile
+13017158592,,89390954264#,,,,*903289# US (Washington DC)
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Dial by your location
+1 301 715 8592 US (Washington DC)
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+1 408 638 0968 US (San Jose)
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Minutes of July 12, 2022
Warren Selectboard
Warren Municipal Building
VIA Zoom or In Person
6:30 PM

Members Present: Andrew Cunningham, Luke Youmell, Bob Ackland, Devin Corrigan Klein.

Members Absent: Camilla Behn.

Others Present: Patty Carter, Rob (TV44/45), Ben Hagen, Dave Brogden, Mitchell & Linda Pickford, Perry Bigelow, Gene Bifano, Erik Luhrs, Gary Kessler, Dotty Kyle & Cindi Jones.

6:30 PM – Meeting called to order.

6:35 PM – Public Comment – Ms. Carter came to the board to discuss the speeding on Brook Road and in the Village. She explained that the yield sign was too far back and should be moved across the road as people come speeding down Brook, don't yield and cuts the corner onto her property. Mr. Ackland commented that there are plans for mitigation of the situation in progress and said that they could put up a stop sign. Ms. Carter was against the stop sign as there was one there but all the exhaust comes right into her windows. A few weeks ago, the board instructed the highway department to put up one of the portable traffic speeds signs down by Luce Pierce Rd. It seems to be slowing vehicles down and that they can put one down further on Brook more towards Patty Carter. Mr. Ackland commented that in the plan there is a cobble cross walk going in by Flat Iron that should help and also a painted crosswalk by the School Path on Brook Road. The problem is getting a contractor has been very difficult this season. The board agreed to put another portable speed sign down closer to Patty Carter's home and see how that works for a trial basis.

6:41 PM – Road Access Permit – Dotty Kyle off West Hill Extension – Ms. Kyle came before the board to request widening her present driveway to include the road access to Lot 19. Currently, the access comes off her existing driveway. The new access would eliminate the 15% grade but the access would be about a 50' to 60' wide road access. Mr. Cunningham commented that he did not think they would grant the access as requested given extended width of the road access. Mr. Ackland commented why wouldn't you just keep the deeded access off the existing driveway? Ms. Kyle commented that the grade is quite steep and the proposed plan would reduce the grade and be less evasive. Mr. Ackland also commented that this is West Extension a dead-end road with very little traffic. The board decided to defer action and schedule a site visit at the next meeting.

6:55 PM – Green Mountain Stage Race Road Use Permit - Mr. Kessler started the discussion off by updating the board that he had received a letter from Ms. Jones from Mr. Marincic about an incident that happened last year. He has spoken to Mr. Marincic and will make sure that the porta-potties do not get placed on his land and in the Park & Ride Lot. They will block off that section of Mr. Marincic's land but so that Mr. Marincic has ingress and egress to his property.

The race is scheduled for September 2-5th with the first leg/time trials starting in Warren Village with an 8:30 start on Flat Iron Rd, up Brook Road to the Waitsfield Common Road. Mr. Kessler commented he has been in touch with Mr. Campbell, Warren Constable, and will get in touch with Mr. Bifano as well to help with the race logistics within the village.

The only new section added this year is in stage 3 a Bio Race that starts at Mount Ellen, uses German Flats and the Sugarbush Access Road. Last year they had about 500 participants but the Canada Border was closed so this year they are expecting another 150 participants from Canada coming down to participate in the Green Mountain Stage Race.

Motion by Mr. Cunningham to approve the Road Use Permit for the Green Mountain Stage Race, seconded by Ms. Klein Corrigan. All in Favor: VOTE: 4-0.

7:00 PM – GSI – Ben Hagen, Dave Brogden - Mr. Hagen provided a power point on the final analysis of the data received on the Lidar and fly over. He started off with the background of the project and the goals of what this information provided. Mr. Hagen presented several slides on an over view of the Sugarbush Access Road, change detection causes, types, causes, metrics and road surface. Findings showed considerable downward movement of the road surface appears to be related to surface water flow and stormwater infrastructure. Most of the landslide activity over the last 7 and 8 years has occurred on slopes south of Clay Brook. Recommendations were monitoring and developing a multi-criteria analysis which will prioritize which parts of the corridors should be dealt with first based on objective criteria like displacement, sight distance, and surface runoff accumulation. Based on the data the surface water/drainage is critical and mitigating it with different stormwater controls.

GSI recommendations are to do periodic drone flights as currently we have the data from 8 months ago, but also to do another the drone aerial, since new pavement has been added to the Sugarbush Access Road to see what this might have an effect on the moving of the road. The board asked about how much it would cost to do another drone fly over and add the new data to do the multi criteria. Mr. Hagen commented it would be around \$5000-\$7,000. The main point here is to be proactive to sustainability Planning for the future. GSI will prepare a scope of services and cost for this. (The slide show report is attached)

7:50 PM – Mitchell Pickford Dog Attack -Mr. and Mrs. Pickford – The Pickford's came to the board for hearing on a dog attack event that occurred on Monday, June 20, 2022 at 3:00PM at the Jiffy Mart Convenience Store in Warren. Mr. Pickford explained what happened at the store and completed police sworn statement of the events that transpired with Mr. Luhrs two pit bulls getting out of Mr. Luhrs car and jumping into the Pickford's car and attacking their 12-pound mini dachshund. The attack by Mr. Luhrs dogs resulted in the Mr. & Mrs. Pickford's dog being put down as the injuries were too extensive. (Complete report attached). Mr. Luhrs explained that he had adopted these 2 dogs from a family with 10 kids, 30 reptiles and 2 parents and they just didn't have time for them. He commented that he only left his windows down about 4" and that their weight must have pushed them down enough for them to get out and jump in the Pickford's car. He commented that he is very distraught about the whole incident and apologized to the Pickford's. It was a freak traumatic accident. Mr. Luhrs commented that he has taken measures of muzzling his dogs at all times in the car, in his home and when other people are present. He also has them on two chains that he restrains them in his car so this cannot happen again. He also is taking them to certified trainers who he has two names. He has had the dogs for 6 years and has never had anything like this happen. The Warren Selectboard has 7 days to set up a hearing which the date of filing was 7/6/2022.

Mr. Youmell asked the Pickford's what they are looking for? Ms. Pickford commented that both the dogs needed to be put down as they are aggressive. Mr. Luhrs was negligent in controlling his dogs in this violent attack on their dog.

The board asked to hear from Mr. Bifano, Dog Officer about his view of the event. Mr. Bifano commented that the Pickford's didn't get seriously hurt as you would expect of Pit Bull behaviors. It was an unfortunate circumstance that this happened. He commented that if Mr. Luhrs did not like the decision of the Selectboard that he can appeal and it would go to civil court. The Selectboard is following the state statutes and the Warren Dog ordinance and state statutes which is copied below.

Section 12 – Warrens Dog Ordinance: If any domestic dog bites any person, domestic pet, or deer and that fact shall be proved to the satisfaction of the Selectboard under procedures provided in 20 V.S.A. Chapter 193, the Selectboard may order that that the dog be muzzled, confined or disposed of in a humane way. If any vicious or rabies infected domestic dog running at large cannot be safely caught and impounded, the Selectboard may order such dog to be slain by a police officer, constable or dog officer. When notified by a police officer, Constable, or dog officer that such dog has bitten any person, it shall be unlawful for the owner to sell or give away the dog or to permit it to be taken beyond the limits of the town except with permission of the Selectboard or user the care of a licensed veterinarian. Any cost of quarantine must be the responsibility of the dog owner. Dogs who are trained to attack, know to be vicious, or against which a complaint of viciousness or attack has been made in writing, shall be licensed by the Town clerk only upon conditions imposed by the Selectboard. T

Section 13 – Hearing on Violations Warren Dog Ordinance: For any violation of this ordinance the Selectboard may hold a hearing and upon a finding of any violation may order the dog restrained, muzzled or destroyed in a humane way. The complete Warren Dog Ordinance is attached.

State Statutes:

§ 3546. Investigation of vicious domestic pets or wolf-hybrids; order

(a) When a domestic pet or wolf-hybrid has bitten a person while the domestic pet or wolf-hybrid is off the premises of the owner or keeper, and the person bitten requires medical attention for the attack, the person may file a written complaint with the legislative body of the municipality. The complaint shall contain the time, date, and place where the attack occurred, the name and address of the victim or victims, and any other facts that may assist the legislative body in conducting its investigation required by subsection (b) of this section.

(b) The legislative body, within seven days from receipt of the complaint, shall investigate the charges and hold a hearing on the matter. If the owner of the domestic pet or wolf-hybrid that is the subject of the complaint can be ascertained with due diligence, the owner shall be provided with a written notice of the time, date, and place of hearing and the facts of the complaint.

(c) If the domestic pet or wolf-hybrid is found to have bitten the victim without provocation, the municipal officials shall make such order for the protection of persons as the facts and circumstances of the case may require, including that the domestic pet or wolf-hybrid is disposed of in a humane way, muzzled, chained, or confined. The order shall be sent by certified mail, return receipt requested. A person who, after receiving notice, fails to comply with the terms of the order shall be subject to the penalties provided in section 3550 of this chapter.

Mr. Bifano stated That the Pickford's could go to the state court where the judge would stipulate other methods of dog control before putting the dogs down.

Mr. Cunningham also commented that the Selectboard has the right to fine the owner up to \$500, ask that dogs be muzzled at all time and not to bring them to Warren. Mr. Cunningham was not sure on how to put restriction on an owner that does not live in Warren but that Mr. Luhrs is responsible financially for all the charges associated with this dog attack. Mr. Pickford stated that all the dog bills have been paid but there is an ER bill & \$500.00 that needs to be paid. Mr. Youmell stated that the goal here is to protect other animals and people from having this happen again. Mr. Cunningham requested that Mr. Bifano coordinate a check in with Mr. Luhrs to see if he is following what the board votes, following up with the States Attorney and to coordinate with the Burlington PD on this event. Mr. Cunningham commented that this is a starting point for the Pickford's and that this is a quasi-judicial proceeding. Mr. Bifano will follow up and set up a date and time to meet with Mr. Luhrs in person and will follow up again with Burlington Animal Control and the States Attorney.

Motion by Mr. Cunningham to fine Mr. Luhrs \$500, and further stipulate that both dogs shall be confined, muzzled when outside or in a car and near people, dogs will not be allowed to run free in the Town of Warren ever, the dog warden, Mr. Bifano, will convene with the Burlington Animal Control Officer and set up regular visits to observe the dogs are being contained as requested and pay the ER bills, seconded by Mr. Ackland. All in Favor: VOTE: 4-0.

A certified Letter will be mailed to Mr. Luhrs with the decision of the Warren Selectboard.

8:30 PM – Other Business:

Warren Falls – Reports from Mr. Bifano, Jeff Campbell and Ms. Jones seem to say that things are good with parking there.

Town Garage – Mr. Ackland is waiting for information before moving forward.

Mad River Stewardship Program – Mr. Ackland reported that Mr. Tom Spenser has taken responsibility the Mad River Stewardship program and checking in with towns on how it has been going.

8:35 PM – Approval of the July 6th Minutes – Motion by Ms. Klein Corrigan to approve the minutes of July 6, 2022, seconded by Mr. Cunningham. All in Favor: VOTE: 3-0. (Mr. Ackland was not present)

8:36 PM – Approval of Accounts Payable Warrants – Motion by Mr. Ackland to approve the accounts payable warrants as presented for \$56,212.58, seconded by Mr. Cunningham.

8:37 PM – Approval of Payroll Warrants – Motion by Mr. Ackland to approve the payroll warrants as presented for \$28,875.38, seconded by Mr. Cunningham. All in Favor: VOTE: 4-0.

8:40 PM – Approval of the Minutes for June 28, 2022 – Motion by Mr. Cunningham to approve the Minutes of June 28, 2022, seconded by Ms. Klein Corrigan. All in Favor: VOTE: 4-0.

8:41 PM – Motion by Ms. Klein Corrigan to go into executive session to discuss personnel, seconded by Mr. Cunningham. All in Favor: VOTE: 4-0.

9:15 PM – Motion by Mr. Cunningham to come out of executive session, seconded by Mr. Ackland. All in Favor: VOTE: 4-0.

No Action Taken

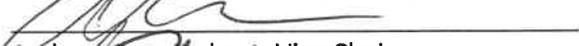
9:17 PM – Motion by adjourn by Mr. Cunningham, seconded by Ms. Klein Corrigan. All in Favor: VOTE: 4-0.

Minutes Respectfully Submitted by,
Cindi Jones, Warren Town Administrator

The Warren Selectboard



Luke Youmell, Chair



Andrew Cunningham, Vice Chair



Bob Ackland

Devin Klein Corrigan

Camilla Behn

TOWN OF WARREN

**Municipal Building
P.O. Box 337
Warren, Vermont
05674-0337**

Office of:

Town Clerk
Town Treasurer
Assessor-Listers
Collector of Delinquent Taxes
Administrative Assistant
Zoning Administrator
Selectmen

July 14, 2022

Mr. Erik Luhrs
168 N. Winooski Ave, Apt 3
Burlington, VT 05401

RE: Dog Incident on June 20, 2022 Case #2022174-01

Dear Mr. Luhrs:

This certified letter is the resulting decision of the Warren Selectboard Hearing on July 12, 2022 at 7:50 PM as warned in the Selectboard Agenda at the Warren Municipal Building. Regarding the compliant of the vicious dog attack by your dogs on the Pickford's Dog.

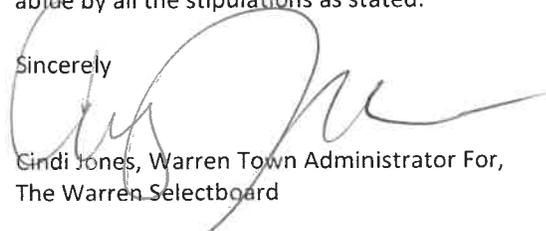
Below is the decision that was rendered at the Warren Selectboard Meeting Voted on by the Warren Selectboard at their July 12, 2022 Meeting. Below is the decision rendered by the Warren Selectboard.

Decision of Hearing:

Motion by Mr. Cunningham to fine Mr. Luhrs \$500, and further stipulate that both dogs shall be confined, muzzled when outside or in a car and near people, dogs will not be allowed to run free in the Town of Warren ever, the dog warden, Mr. Bifano, will confer with the Burlington Animal and set up regular visits to observe the dogs' behaviors and are being contained as requested and to pay the ER bills, seconded by Mr. Ackland. All in VOTE: 4-0.

The Warren Selectboard would like you to understand that you need to take this this letter very seriously and abide by all the stipulations as stated.

Sincerely



Cindi Jones, Warren Town Administrator For,
The Warren Selectboard

Cc: Gene Bifano, Burlington Animal Control

Hours:

9:00-4:30 p.m.
Monday-Friday

Telephone: 802-496-2709

Town of Warren
PO Box 37
42 Cemetery Road
Warren Vt. 05674

POLICE SWORN STATEMENT

COUNTY	Washington	Name:	Mitchell Pickford
DATE	7/6/2022	Address:	4163 Route 100, Warren, VT 05674
		Date of Birth:	04/25/1960
		Case Number:	062022174-1

I, Mitchell Pickford, HEREBY SWEAR UNDER THE PENALTY OF PURGERY (NOT MORE THEN 15 YEARS, NOTE MORE THEN \$1,000) THAT I GIVE THIS STATEMENT TO 1ST CONSTABLE E. BIFANO, TOWN OF WARREN, WITHOUT THREAT OR PROMISE AND THAT I HAVE PERSONAL KNOWLEDGE OF THE FOLLOWING FACTS AND THIS STATEMENT MAY BE USED IN COURT OF LAW AND IS TRUE AND THE BEST OF MY KNOWLEDGE AND BELIEF:

Monday, June 20, 2022
Approximately 3:00 to 3:30 pm

My wife, Linda, and I stopped at the Jiffy Mart store (Macs) in Warren, Vermont at approximately 3:00 pm for gas. We were in a 2014 4-door hatch Ford Focus.

There are 4 gas pumps with access on either side.

I pulled up to the southwest pump. My wife went inside the store. I got out to pump gas at the right rear of the car. The rear driver's side car window was down (though there it is up about 5 inches). Betty, our 12-pound mini dachshund was in the back seat (attached to the headrest with a 3-foot leash so that she is secure while riding in the car).

I hear dogs barking from a vehicle located at the southeast pump. I can't see the dogs as pumps are between us.

I then see the dogs coming towards my car. One runs up to the car to the back seat window where Betty is. I instinctively grab the dog by the collar to prevent him from getting any closer. I walk behind the car to the left side of the car with the dog. I look in through the rear driver's side window (door is shut; window is open) and see the other dog (I still have the other one held by the collar as he is still barking and aggressive) on top of Betty. The dog had climbed through the open window.

I let go of the 1st dog to open the rear driver side door and go into the car to separate the 2nd dog and Betty by grabbing the 2nd dog's collar and pushing Betty the other way. I am on top of the 2nd dog's back as I am trying to do this. As this is happening, the 1st dog climbs over me and goes behind the rear seats (there is a 60/40 split in the rear seats and the 40 side was down on the right side of the car. This is where I had pushed Betty.

Subscribed and sworn before me on this 6th day of July, 2022

Date: 07/06/2022

E. Bifano (202281)
Notary Public

Mitchell Pickford
Affiant

Monday, June 20, 2022

Approximately 3:00 to 3:30 pm

My wife, Linda, and I stopped at the Jiffy Mart store (Mac's) in Warren, Vermont at approximately 3:00 pm for gas. We were in a 2014 4-door hatch Ford Focus.

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I let go of the 1st dog to open the rear driver side door and go into the car to separate the 2nd dog and Betty by grabbing the 2nd dog's collar and pushing Betty the other way. I am on top of the 2nd dog's back as I am trying to do this. As this is happening, the 1st dog climbs over me and goes behind the rear seats (there is a 60/40 split in the rear seats and the 40 side was down on the right side of the car. This is where I had pushed Betty).

At this point, I had the 2nd dog secured under my weight with the collar in my left hand. When I move to try and get to the 2nd dog, who was behind the rear seat, the 1st dog begins to move from underneath me lunging towards my dog. I stopped to secure the dog underneath me by grabbing its collar with my right hand. And use my left hand to get 2nd dog which has now pulled Betty to the rear of the car. I am unable to push the dog off of Betty so I jam my left hand into the mouth of the 2nd dog.

At this point, a man (now known as the owner) comes over and is laying on top of me as he reaches over the rear seat to grab the dog (repeatedly saying "I am sorry").

Linda, my wife, is now at the rear of the car and opens the back hatch. Linda was grabbing and pulling the 2nd dog trying to get it out. Betty is in the dog's mouth around the mid-section. Linda is able to get Betty released and out of the car.

Subscribed and sworn before me on this 6th day of July, 2022.

Date: 06/07/2022

E. J. Baker (madd)
Notary Public

Mitch Pickford
Affiant

POLICE SWORN STATEMENT

At this point, the owner of the dogs is still on top of me. I am on top of the 1st dog. Owner is reaching over me with his hand on the 2nd dog's collar. I yell to him "Get off me. Do something." Linda is now inside the store with Betty. The owner of the dog gets off of me, walks around to the rear of my car, grabs the 2nd dog by the collar and proceeds to get him out of my car and into his.

He then comes back. I get off the 1st dog as he is grabbing it by the collar. He gets the dog and takes him back to his car.

Linda comes out of the store with Betty and I see blood covering her shirt. We leave the property and take the dog to the nearest vet (Dr. Roy Hadden).

Linda went over and got his driver's license information.

The Waitsfeld vet, Dr. Roy Hadden, said that we needed to take Betty to BEV's as there may be more extensive internal injuries. Once at BEV's they suggested that I go to the emergency room to have my bite wounds looked at. Betty stayed overnight and they called the next day to let us know that Betty's kidney levels were up, she had broken ribs, a punctured lung, and punctured diaphragm and abdomen. They eventually reported that the injuries that Betty sustained were very extensive and they didn't think she could survive further treatment and her chances of a recovery were doubtful. At this point, we had to make the very difficult decision to have her put down.

Subscribed and sworn before me on this 06 day of July, 2022

EJBifano
Notary Public

Date 7/06/2022

Mitch Pitkuel
Affiant

Cindi Jones

From: Gene Bifano <gbifano@warrenvt.org> on behalf of Gene Bifano
Sent: Thursday, June 30, 2022 12:24 PM
To: Cindi Jones
Subject: Animal Cruelty Investigation
Attachments: dogAttackIncident-06_23_22-2022174-01.doc

Please be advised that you may be adjudicating an animal Cruelty case.

On Monday June 20th 2 Pit Bulls attacked a Dachshund at the Jiffy Mart and caused such severe injuries that the dog had to be "put down" the next day. The owners of the dog killed want legal action taken against the Pit Bull owner/dogs. The Dachshund was in the Pickford's car and the Pit Bulls in another car. Somehow the Pit Bulls were able to open the door of the car they were in, escaped and jumped into the Pickford's car to attack the Dachshund.

I was only notified of the incident last Thursday by the dog owners and have been gathering information: I contacted Burlington PD Animal control to see if there have been other incidents and the Wash. Cty States Attorney. Still waiting for the BPD to respond.

After reviewing our ordinance, State Statutes and speaking with a Washington Cty. Assist. State Attorney I believe that our ordinance can be used to adjudicate the matter as opposed to state statutes.

Our Ordinance states, after receiving the complaint may have a formal Town meeting with the dogs owner and decide on a remedy for the action of the dogs. There is a difference between the state statute and Warren's ordinance; FYI 20 VSA 3546 states "*The legislative body, within seven days from receipt of the complaint, shall investigate the charges and hold a hearing on the matter. If the owner of the domestic pet or wolf-hybrid that is the subject of the complaint can be ascertained with due diligence, the owner shall be provided with a written notice of the time, date, and place of hearing and the facts of the complaint.*"

I am waiting for a Statement from the owners of the deceased. We do have the name, address and phone number of the Pit Bulls owner. However, since the dog owner lives in Burlington I am unclear how the Selectboard can compel him to attend.
Please find the open Incident rpt.

Gene Bifano
PO/1st Constable

Cindi Jones

From: Gene Bifano <gbifano@warrenvt.org> on behalf of Gene Bifano
Sent: Wednesday, July 06, 2022 11:16 PM
To: Cindi Jones; Cindi Jones
Cc: Mitch Pickford
Subject: Fwd: Incident at Jiffy Mart

Follow Up Flag: Follow up
Flag Status: Flagged

Attached is an Email from Mitch Pickford whose dog was mauled Monday the 20th of June and subsequently died. He would like the Select Board review and take action on this matter. I sent you an Incident Report on the Incident and will drop off their Statement of the events Thursday July 7th.

The Pickford's believe the two Pit Bulls that attacked their dog in their car are a menace to society and are concerned about the dogs future action. Please consider my relaying their email to the Board a formal request for a hearing on the issue.

Gene Bifano
PO/1st Constable

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

From: Mitch Pickford <mitchino1@gmail.com>
Date: Wed, Jul 6, 2022 at 8:58 AM
Subject: Re: Incident at Jiffy Mart
To: Gene Bifano <gbifano@warrenvt.org>

Hi Gene, thank you so much for all of your help. Putting the attack down in writing was hard to do. We most definitely want to move along with any procedures, in hopes that this horrific incident doesn't happen to any other dogs- or God forbid-a child. & Yes, I do have copies of both animal hospital bills. Today, I'll get a \$ figure from Mitch's ER visit& ask for an email (or something). I am at work until about 11:00. Can I call u later?

Sent from my iPhone

On Jul 5, 2022, at 3:58 PM, Gene Bifano <gbifano@warrenvt.org> wrote:

Good Day! Thank you for the statement. I have alerted the Select Board that a complaint will be addressed to them and provided them a Police Incident report for the Incident. I dropped off the printed version while on patrol last week. Knocked on the door but no response. Still no word from Burlington Animal control, left another message Friday.

I hate to ask, do you have copies of the bills from both VAH and BEVs that describe the treatment rendered. If not I can get them, with your permission, for the appearance before the Select Board.

The Select Board will probably have a preliminary meeting with you before they attempt to summon Erick for a hearing.

Gene Bifano
PO/1st Constable

On Sat, Jul 2, 2022 at 6:05 PM Mitch Pickford <mitchlin01@gmail.com> wrote:

Thank you for all of your help.
Mitch and Linda
802-496-5444

TOWN OF WARREN VERMONT

Police Incident Report

Eugene J. Bifano Police Officer/1st Constable

Jeff Campbell Police Officer/2nd Constable

P.O Box 335

Warren VT 05674

Tel: (802) – 496- 2709 ext. 7 -2

Fax: (802) –496-2418

Date of Incident: 06/20/2022 **Case Number:** 2022174-01 **Time:** 1345

Duration: Hrs. Investigative time

Town: Warren

Initial Report

Supplemental

[X]

Reporting Police Officer/Constable: Bifano

STATUS

[X] Open:

[] Closed

[] Pending

[] Exceptionally Cleared

[] Transferred to other agency:

Press Release: [] Yes [] No []

CASE TYPE: Animal Cruelty

DATE/TIME OF COMPLAINT: 06/23/2022 @1415

COMPLAINANT (S): Mitch Pickford

DISPATCHER: NA

SUMMARY OF INCIDENT: Dog Severely Mauled by 2 Pt Bulls

LOCATION AND SCENE DESCRIPTION: Jiffy Mart (former Mac's) 114 Route 100

HOW REPORTED: Phone

ACCUSED/INVOLVED: Erik Luhrs

VICTIM(S): Dachshunds- Betty

WITNESS(ES): Linda Pickford

LIST OF EVIDENCE/EXHIBITS:

TOWN OF WARREN VERMONT

Police Incident Report

INVESTIGATION NARRATIVE:

On 06/23/2022 I received a call from a Mitch Pickford of 4163 Route 100, 802-496-5444, about an incident Monday the 20th of June 2022 in Warren. Mr. Pickford stated they waited until this day because they were so upset they couldn't. But they wanted to report the incident because they were concerned about the nature of the two Pit Bulls.

The Pickford's were parked at the Jiffy Mart when they went in to make purchases. Their dog, Betsey, was in their car tethered with the window's open.

A nearby car owned by an Erick Luhrs, 168 N. Winooski Ave. Apt. 3 had 2 large Pit Bulls in it; windows and doors closed. Mr. Luhrs was in the store making purchase.

Both Mitch and Linda said the two dogs were violently jumping up and down in their car.

In some way or fashion the dogs were able to open the door to the car they were in and escaped. They jumped into the Pickford's car and attacked their dog. After a struggle Mr. Pickford was able to disengage the Pit Bulls from their dog and returned them to Mr. Luhrs's cars.

The Pickford's dog was badly injured and taken to Valley Animal Hospital and then to BEV's emergency veterinary hospital in Williston. Extensive treatment was rendered to Betsey, the Pickford dog. However, the injuries were so severe the dog could not be saved and had to be "put down" the next day Tuesday the 21th of June.

The Pickford's stated that Mr. Luhrs was very distraught and sorry for the incident, and agreed to pay all Vet and Medical bills. He went to VAH with the Pickford's' and paid that bill.

Mr. Luhrs lives in Burlington VT @ 168 N. Winooski Ave Apt. 3. 05401; 802-999-6163

I contacted the BPD Animal Control on Thursday to determine if there were any other issues with Mr. Luhrs dogs. BPD Dispatch said there was a comment from 2020 about an aggressive dog complaint; no description of the dogs involved. I left a msg. I called again Friday and spoke to Akim Brown who would investigate. Called again Tuesday got a call back; still looking into the issue.

Called the Wash. Cty States Attorney office Thursday, to better understand the process; left. Msg. Received a call back Wednesday and reviewed 20VSA 3564 - 9. In essence Warren's dog Ordinance can be used.

Conclusion

ARTIALMARTS@
HOLNOL

Cindi Jones

From: Gene Bifano <gbifano@warrenvt.org> on behalf of Gene Bifano
Sent: Thursday, July 07, 2022 10:43 PM
To: Cindi Jones; Luke Younell
Subject: Re: FW: FW: Incident at Jiffy Mart

Luke, I spoke with a Wash. Cty State Attorney about this issue. Since we have a Town Ordinance regarding animal control he said we would use it. Basically we use the same ordinance as the Bennett dogs(s); we send a letter to the owner of the Pit Bull and order him to appear because of a violation of our town ordinance.

SECTION 12. VICIOUS DOGS If any domestic dog bites any person, domestic pet, or deer and that fact shall be proved to the satisfaction of the Selectboard under procedures provided in 20V.S.A. Chapter 193, the Selectboard may order that the dog be muzzled, confined or disposed of in a humane way. If any vicious or rabies infected domestic dog running at large cannot be safely caught and impounded, the Selectboard may order such dog to be slain by a police officer, constable or dog officer. When notified by a police officer, constable, or dog officer that such dog has bitten any person, it shall be unlawful for the owner to sell or give away the dog or to permit it to be taken beyond the limits of the town except with permission of the Selectboard or user the care of a licensed veterinarian. Any cost of quarantine must be the responsibility of the dog owner. Dogs who are trained to attack, known to be vicious, or against which a complaint of viciousness or attack has been made in writing, shall be licensed by the Town Clerk only upon conditions imposed by the Selectboard. SECTION 13. HEARING ON VIOLATIONS For any violation of this ordinance the Selectboard may hold a hearing and upon a finding of any violation may order the dog restrained, muzzled or destroyed in a humane way.

However I would suggest a preliminary hearing with the Pickford's whose whose dog they claim was murdered by the 2 Pitt Bull. At the hearing you could review their statement, videos of the attack and speak with the Pickfords.

I left the Pickfords statement on Cindi's desk this afternoon.

I will contact Mr. Erik Luhrs and see if he would like to make a statement.

Gene Bifano
PO/1stConstable
Warren

On Thu, Jul 7, 2022 at 7:19 AM Cindi Jones <cjones@warrenvt.org> wrote:

Hi Gene,

So can go help me with this please>

Thanks

Cindi

From: Luke Youmell <luke@birddogvt.com>
Sent: Thursday, July 07, 2022 6:18 AM
To: Cindi Jones <cjones@warrenvt.org>
Cc: Andrew Cunningham <propertymanagement@gmavt.net>; Bob Ackland <rackland@gmavt.net>; Camilla Behn <ccbehn@gmavt.com>; Devin Klein Corrigan <ddevinklein@gmail.com>
Subject: Re: FW: Incident at Jiffy Mart

I think we need to know what we can do here, what our jurisdiction is? Is there a specific process? Can you and gene figure out those details? Thanks.

On Thu, Jul 7, 2022 at 6:04 AM Cindi Jones <cjones@warrenvt.org> wrote:

Good Morning,

Foggy out there! I wanted to get this over to you as it may require a separate meeting with certified letters from Gene to have the owners in attendance or via zoom. I have sent you over Gene's report of the attack. Mr. Pickford does have a valid point of what if it was a small baby in a baby seat or a child. I don't think we would have time enough to get this on the agenda for an official meeting of action and the fact the owners live in Burlington.

Cindi

From: Gene Bifano <gbifano@warrenvt.org>
Sent: Wednesday, July 06, 2022 11:16 PM
To: Cindi Jones <selectboard@warrenvt.org>; Cindi Jones <cjones@warrenvt.org>

Cc: Mitch Pickford <mitchlin01@gmail.com>

Subject: Fwd: Incident at Jiffy Mart

Attached is an Email from Mitch Pickford whose dog was mauled Monday the 20th of June and subsequently died. He would like the Select Board review and take action on this matter. I sent you an Incident Report on the Incident and will drop off their Statement of the events Thursday July 7th.

The Pickford's believe the two Pit Bulls that attacked their dog in their car are a menace to society and are concerned about the dogs future action.

Please consider my relaying their email to the Board a formal request for a hearing on the issue.

Gene Bifano

PO/1st Constable

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

From: Mitch Pickford <mitchlin01@gmail.com>

Date: Wed, Jul 6, 2022 at 8:58 AM

Subject: Re: Incident at Jiffy Mart

To: Gene Bifano <gbifano@warrenvt.org>

Hi Gene, thank you so much for all of your help. Putting the attack down in writing was hard to do. We most definitely want to move along with any procedures, in hopes that this horrific incident doesn't happen to any other dogs- or God forbid- a child. & Yes, I do have copies of both animal hospital bills. Today, I'll get a \$ figure from Mitch's ER visit& ask for an email (or something). I am at work until about 11:00. Can I call u later?

Sent from my iPhone

On Jul 5, 2022, at 3:58 PM, Gene Bifano <gbifano@warrenvt.org> wrote:

Good Day! Thank you for the statement. I have alerted the Select Board that a complaint will be addressed to them and provided them a Police Incident report for the Incident. I dropped off the printed version while on patrol last week. Knocked on the door but no response.

Still no word from Burlington Animal control, left another message Friday.

I hate to ask, do you have copies of the bills from both VAH and BEVs that describe the treatment rendered. If not I can get them, with your permission, for the appearance before the Select Board.

The Select Board will probably have a preliminary meeting with you before they attempt to summon Erick for a hearing.

Gene Bifano

PO/1st Constable

On Sat, Jul 2, 2022 at 6:05 PM Mitch Pickford <mitchlin01@gmail.com> wrote:

Thank you for all of your help.

Mitch and Linda

802-496-5444

Luke Younell

Bird Dog Property Management

luke@birddogvt.com | 802-498-4940

The Vermont Statutes Online

Title 20 : Internal Security And Public Safety

Chapter 193 : Domestic Pet Or Wolf-hybrid Control

Subchapter 001 : General Provisions

(Cite as: 20 V.S.A. § 3546)

§ 3546. Investigation of vicious domestic pets or wolf-hybrids; order

(a) When a domestic pet or wolf-hybrid has bitten a person while the domestic pet or wolf-hybrid is off the premises of the owner or keeper, and the person bitten requires medical attention for the attack, the person may file a written complaint with the legislative body of the municipality. The complaint shall contain the time, date, and place where the attack occurred, the name and address of the victim or victims, and any other facts that may assist the legislative body in conducting its investigation required by subsection (b) of this section.

(b) The legislative body, within seven days from receipt of the complaint, shall investigate the charges and hold a hearing on the matter. If the owner of the domestic pet or wolf-hybrid that is the subject of the complaint can be ascertained with due diligence, the owner shall be provided with a written notice of the time, date, and place of hearing and the facts of the complaint.

(c) If the domestic pet or wolf-hybrid is found to have bitten the victim without provocation, the municipal officials shall make such order for the protection of persons as the facts and circumstances of the case may require, including that the domestic pet or wolf-hybrid is disposed of in a humane way, muzzled, chained, or confined. The order shall be sent by certified mail, return receipt requested. A person who, after receiving notice, fails to comply with the terms of the order shall be subject to the penalties provided in section 3550 of this chapter.

(d) The procedures provided in this section shall apply if the domestic pet or wolf-hybrid is not a rabies suspect. If a member of the legislative body or a municipal official designated by the legislative body determines that the animal is a rabies suspect, the provisions of subchapter 5 of this chapter and the rules of the Department of Health shall apply.

(e) The procedures provided in this section shall not apply if the voters of a municipality, at a special or annual meeting duly warned for the purpose, have authorized the legislative body of the municipality to regulate domestic pets or wolf-hybrids by ordinances that are inconsistent with this section, in which case those ordinances shall apply. (Amended 1977, No. 215 (Adj. Sess.), § 2, eff. April 12, 1978; 1993, No. 213 (Adj. Sess.), § 4, eff. June 15, 1994; 2007, No. 121 (Adj. Sess.), § 15; 2021, No. 20, § 197.)

DOGS, WOLF HYBRID AND OTHER DOMESTIC PETS

The Warren Selectboard, at its regular meeting held on the 4 day of September 2001, upon motion duly made and seconded, unanimously adopted the following civil ordinance pertaining to the keeping of dogs, wolf hybrids, and domestic pets:

SECTION 1. AUTHORITY.

This ordinance is adopted by the Selectboard of the Town of Warren pursuant to the authority granted by 20 V.S.A, subsection 3549, 24 V.S.A subsection 2291, and 24 V.S.A. Chapter 59. The purpose of this ordinance is to regulate the keeping of dogs, wolf hybrids, and other domestic pets and their running at large to promote the health and safety of the public as well as the peace of the community.

SECTION 2. DEFINITIONS.

- A. "domestic pet" or "pet" means any domestic dog, domestic cat, ferret or wolf hybrid including the male, female or neuter gender of each such pet. The term shall also include any such other animal that the constable, police officer, or animal control officer or humane officer finds has the potential to become an imminent danger to public health or welfare.
- B. "Domestic dog" means any member of the canine species and includes a wolf hybrid animal.
- C. "Owner" means any person, firm association, or corporation or other institution or entity owning, keeping, or harboring a domestic pet, or who has actual or constructive possession of the domestic pet. The term also includes those persons who provide food or shelter to a domestic pet as defined herein.
- D. "At large" means that the pet is not:
1. On a leash; or
 2. In a vehicle; or
 3. On the owner's property; or
 4. On the property of another person with that person's permission; or
 5. Clearly under the verbal or nonverbal control of the owner; or
 6. Hunting with the owner.
- E. "Wolf hybrid" means an animal which is the progeny or descendant of a domestic dog (*canis familiaris*) and a wolf (*Canis Lupus* or *Canis Rufus*), "Wolf hybrid by its owner, or an animal which also means any animal that is advertised, registered, licensed or otherwise described or represented as a wolf hybrid by its owner, or an animal which exhibits primary physical and/or behavioral wolf characteristics pursuant to the rules adopted by the Commissioner of the Department of Fish and Wildlife.
- F. "Vicious dog" means a domestic dog or wolf hybrid that attacks any person or causes any person to reasonably fear attack or bodily injury from such animal, unless the person is trespassing on the property of the owner of the animal. The term shall also mean any animal which while running at large, attacks another domestic pet or domestic animal as defined in 20 V.S.A. Sub section 3541.

- G. "Direct control of the owner" shall mean on a leash, in a vehicle, or on the owner's property.

SECTION 3. HUMANE CARE

All domestic pets shall be furnished with a clean and safe facility sufficient to protect the animal and the public health. Any domestic pet determined by the constable, a police officer, or an animal control officer to be without such clean and safe facilities may be impounded.

SECTION 4. DISTURBANCES AND NUISANCES

- A. No domestic dog or wolf hybrid shall run at large in the Town.
- B. No domestic pet shall harass or attack other animals or people unless such animals or people are trespassing on the private property of the owner of the domestic pet.
- C. A female domestic pet in heat shall be confined to a building or other secured enclosure except while under the direct control of the owner.
- D. No person shall own, keep or harbor a domestic pet which disturbs the quiet, comfort and repose of others by frequent, habitual, or persistent barking or howling.

SECTION 5. DEFECACTION

The person in control of a domestic pet which defecates in any public area or on the private property of another person shall immediately remove the fecal material and dispose of it in a sanitary manner.

SECTION 6. FAILURE TO LICENSE

- A. Each domestic dog and/or wolf hybrid shall be licensed according to the laws of the State of Vermont and shall wear a collar or harness with the current license attached. Any domestic dog or wolf hybrid which is visiting from out of state must wear a collar or harness with the current license from its home state attached.
- B. A domestic dog or wolf hybrid which is found without a collar or harness and license may be immediately impounded under the authority of 20 V.S.A Subsection 3806 and shall be managed under the provisions of that statute. All unlicensed domestic dogs and wolf hybrids may be destroyed pursuant to 20 V.S.A. Subsection 3807.
- C. In addition, a deposit of \$20.00 shall be paid in respect of any unlicensed dog that becomes impounded. Upon delivery of a current rabies certificate to the Town Clerk, the deposit shall be returned minus the registration fee.
- D. The impounding officer may cite the owner for the third and any subsequent impoundment providing such impoundment occurred in any twelve-month period. The penalties set forth in Section 10 shall be applicable.

E. Penalties shall be paid to the Treasurer, Town of Warren, PO Box 337, Warren, VT 05674.

SECTION 7. IMPOUNDMENT

A. Any domestic dog or wolf hybrid which is determined by constable, police officer, or animal control officer or humane officer to be a vicious dog or wolf hybrid that presents an imminent danger to people or other animals may be immediately impounded.

B. Any domestic pet which is determined by a constable, police officer, or animal control officer or humane officer to be in violation of Section 4, 5, or 6 hereunder may be impounded.

C. Any domestic dog or wolf hybrid which is apprehended for a third or subsequent violation of any provisions of this ordinance may be impounded.

SECTION 8. NOTICE OF IMPOUNDMENT

A. Any officer who impounds a domestic pet shall, within twenty-four hours, give notice to the owner thereof, if known, either personally or by written notice at the owner's dwelling. Such notice shall inform the owner of the nature of the violation, the location of the animal, and the steps which are necessary to have the animal returned to the owner.

B. If an impounded domestic dog or wolf hybrid has no license or other identification, the person who impounds it shall proceed under the provisions of 20 V.S.A subsection 3806. Impounded animals shall be released to the owner only after payment of all penalties and impoundment fees and after remedial action by the owner. Remedial action shall include but is not limited to such actions as providing a collar and current license and providing a plan for compliance with provisions of this ordinance and with state law.

SECTION 9. REDEMPTION OF IMPOUNDED DOMESTIC PETS; FEES.

A. The following penalties shall be paid by or on behalf of the owner for the impounding of any domestic pet in any consecutive six-month period:

First impoundment	\$36.00
Second impoundment	\$56.00
Third or subsequent impoundment	\$81.00

B. In addition, if applicable, an impoundment fee of \$5.00 for board of each day or fraction thereof during which the dog is impounded or the actual cost of boarding the domestic pet, whichever is greater, shall be paid by or on behalf of the owner.

C. In addition, a deposit of \$20.00 shall be paid in respect of any unlicensed dog that becomes impounded. Upon delivery of a current rabies certificate to the Town Clerk, the deposit shall be returned minus the registration fee.

D. The impounding officer may cite the owner for the third and any subsequent impoundment providing such impoundment occurred in any twelve-month period. The penalties set forth in Section 10 shall be applicable.

E. Penalties shall be paid to the Treasurer, Town of Warren, PO Box 337, Warren Vt

SECTION 10. PENALTY FOR VIOLATION

Notwithstanding the fees and penalties imposed by Section 9 of this ordinance, a civil penalty of not more than \$500.00 for each violation may be imposed and in the event of a continuing violation, each week or portion thereof that the violation continues shall constitute a separate offense. Penalties shall be paid to the Treasurer, Town of Warren PO Box 337, Warren VT 05674.

SECTION 11. INJUNCTIVE RELIEF

Notwithstanding the penalties imposed by Section 10 of this ordinance, the Town shall be empowered to seek and obtain injunctive relief for continued and persistent violations of Sections 3,4,5 and 6 hereof.

SECTION 12. VICIOUS DOGS

If any domestic dog bites any person, domestic pet, or deer and that fact shall be proved to the satisfaction of the Selectboard under procedures provided in 20 V.S.A. Chapter 193, the Selectboard may order that the dog be muzzled, confined or disposed of in a humane way. If any vicious or rabies infected domestic dog running at large cannot be safely caught and impounded, the Selectboard may order such dog to be slain by a police officer, constable or dog officer. When notified by a police officer, constable, or dog officer that such dog has bitten any person, it shall be unlawful for the owner to sell or give away the dog or to permit it to be take beyond the limits of the town except with permission of the Selectboard or user the care of a licensed veterinarian. Any cost of quarantine must be the responsibility of the dog owner. Dogs who are trained to attack, known to be vicious, or against which a complaint of viciousness or attack has been made in writing, shall be licensed by the Town Clerk only upon conditions imposed by the Selectboard.

SECTION 13. HEARING ON VIOLATIONS

For any violation of this ordinance the Selectboard may hold a hearing and upon a finding of any violation may order the dog restrained, muzzled or destroyed in a humane way.

SECTION 14 REPEAL OF PRIOR ORDINANCE

This ordinance, on its effective date shall repeal the prior ordinance of the Town of Warren pertaining to the keeping of dogs and their running at large.

SECTION 15. SEVERABILITY

In the event that any provision of this ordinance shall be found invalid by any court of competent jurisdiction, such invalid shall not invalidate any other part of this ordinance.

SECTION 16. PROVISIONS ADDITIONAL TO STATE LAW

This ordinance is to be in addition to all other ordinances of the Town of Warren and to those remedies provided municipalities in Title 20, Chapter 193 of the Vermont Statutes Annotated, as amended.

SECTION 17. EFFECTIVE DATE

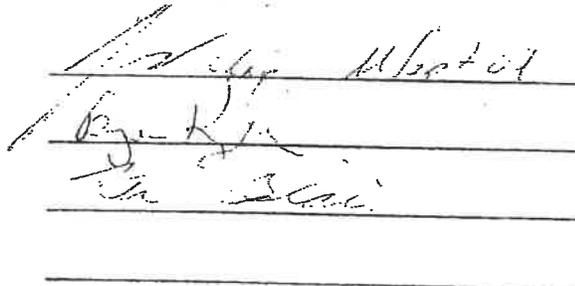
This ordinance shall become effective sixty (60) days after its adoption by the Town of Warren Selectboard. If a petition is filed under 24 V.S.A. Subsection 1973 that statute shall govern the taking effect of this ordinance.

SECTION 18. NOTICE

This ordinance shall be entered into the minutes of the town records and shall be posted in at least five conspicuous places in town. A concise summary of it shall be published in a newspaper of general local circulation within fourteen days of its adoption accompanied by information as to where the full text of it may be examine, the right of voters to petition for a vote, and the name, address and telephone number of a person who is available to answer questions about it.

Date 9/11/2001

Selectboard, Town of Warren.



Three lines of handwritten signatures, likely representing the members of the Selectboard, written over horizontal lines.

Adoption History

1. Agenda item at regular Selectboard meeting held on 9/4/01.
2. Read and approved at regular Selectboard meeting on 9/4/2001.
3. Posted in public places on 9/12/2001.
4. Noticed of adoption published 9/13/01 Valley Reporter newspaper on 9/13/01 without a notice of the right to petition.
5. Other actions (petitions, etc.):

Tomislav A. Marincic

P.O. Box 363
Warren, VT
05674-0363

Town of Warren

Cindi Jones

July 8, 2022

Dear Cindi,

I own the home at 115 Main Street, and a portion of my land lies across the street from my home and is located just north of the Town's park & ride lot.

I see that your agenda for July 12 includes consideration of the Green Mountain Stage Race road permit. In past years, the bicycle racers have not been courteous visitors. They have taken over my property without my permission, placed portable toilets on my land, and left a mess of water bottles and glucose snack wrappers for me to clean up.

I park my car on that lot, I have built a motorcycle parking area surrounded by stones, and my family draws its well water from that site. I find it unacceptable to look across the street and see public toilets placed next to my well head.

If feel you must approve this permit, could you please emphasize to the applicants that the unpaved area north of the utility pole is private property, and is not a camping area or a toilet facility.

Best Regards,



Tomislav Marincic

04-000-300
06A

4-000-400
33A

004-000-500
05A

Private
Property

Town Park &
Ride Lot

004-000-600

40

004-001-100

100

004-000-201
0.3A

92.83

75.42

67.13

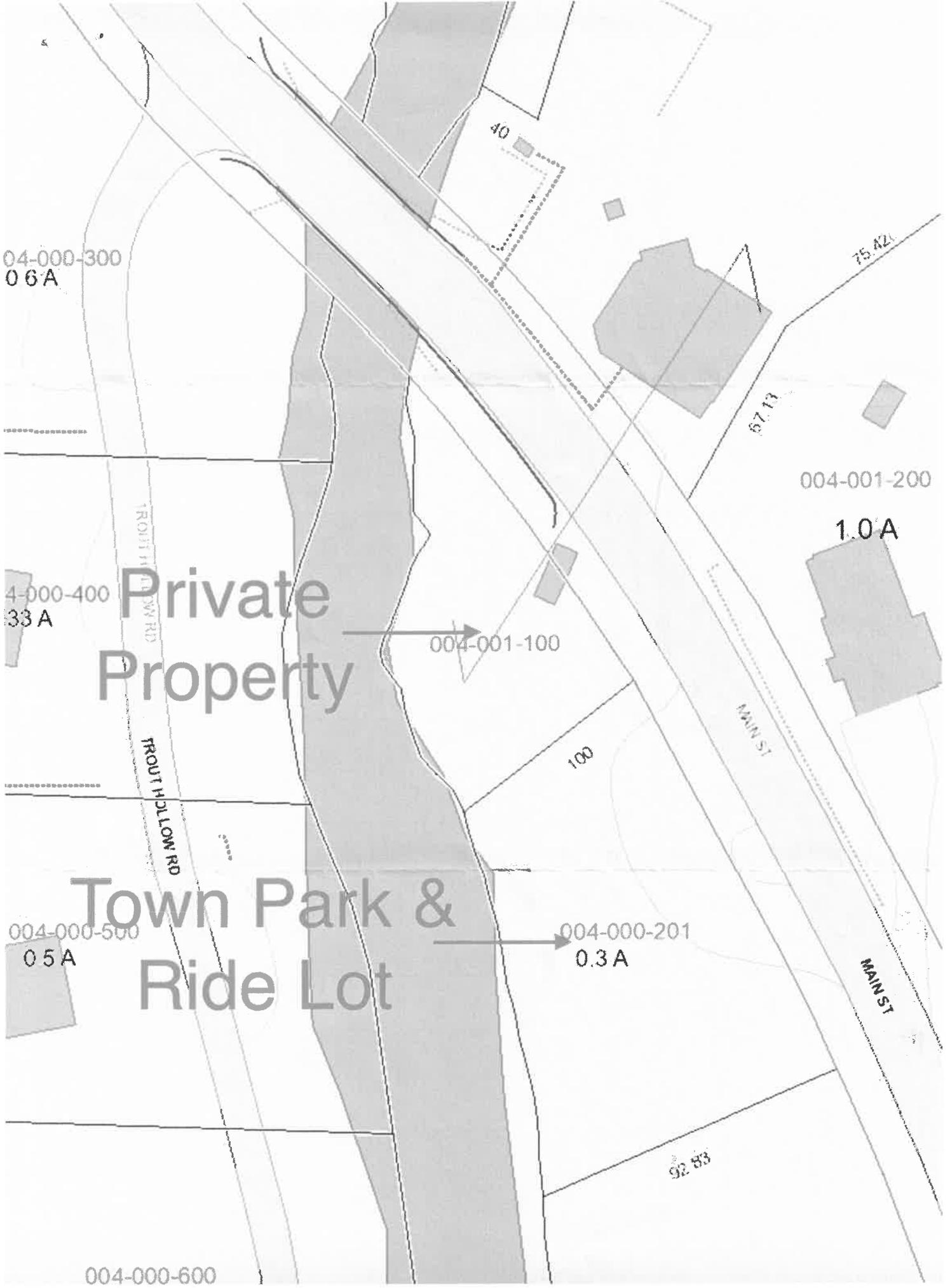
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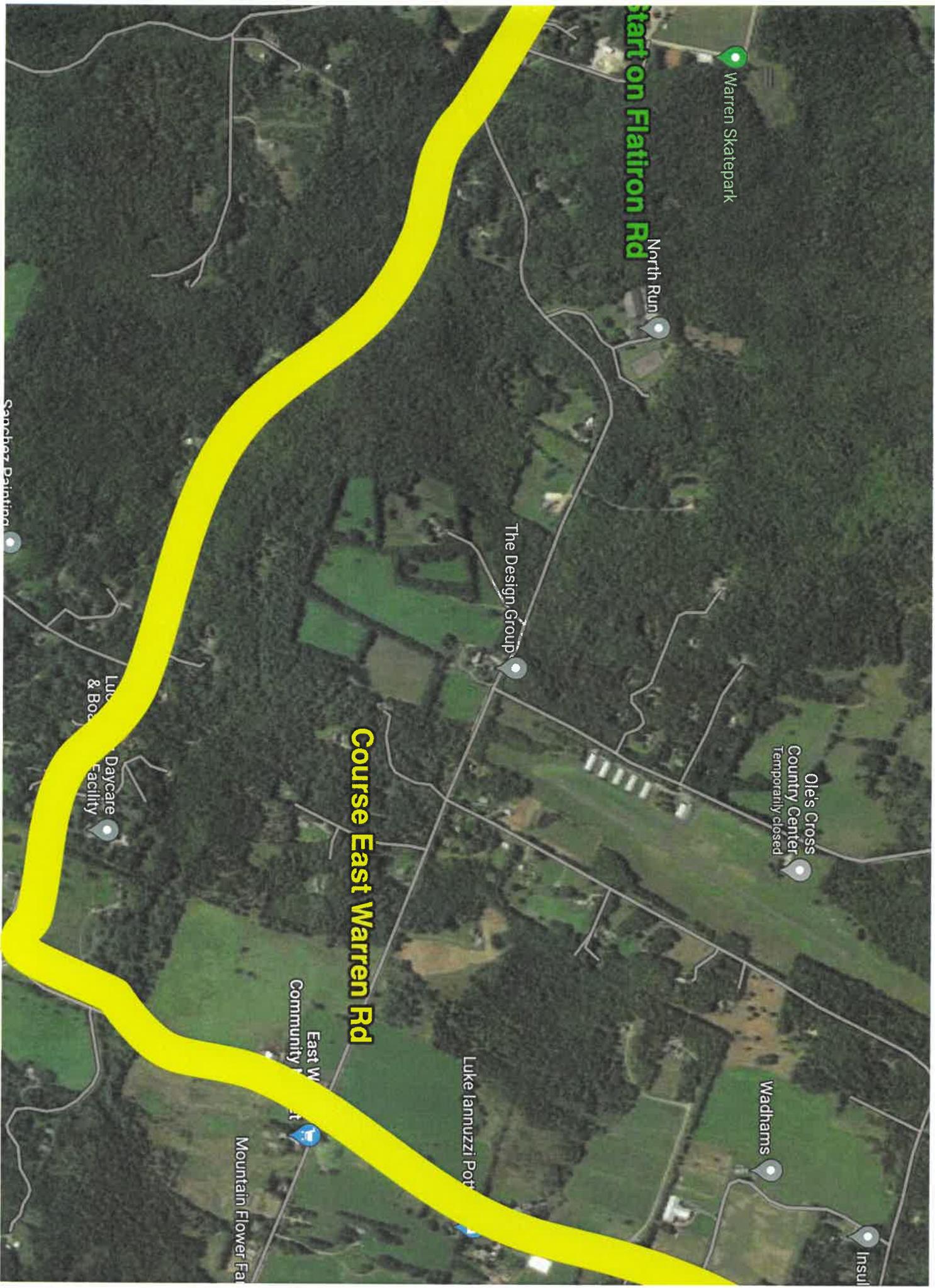
1.0A

MAIN ST

MAIN ST

TROUT HOLLOW RD
TROUT HOLLOW RD





Warren Skatepark

Start on Flatiron Rd

North Run

The Design Group

Ole's Cross
Country Center
Temporarily closed

Course East Warren Rd

Luke Iannuzzi Pott

East Warren
Community Center

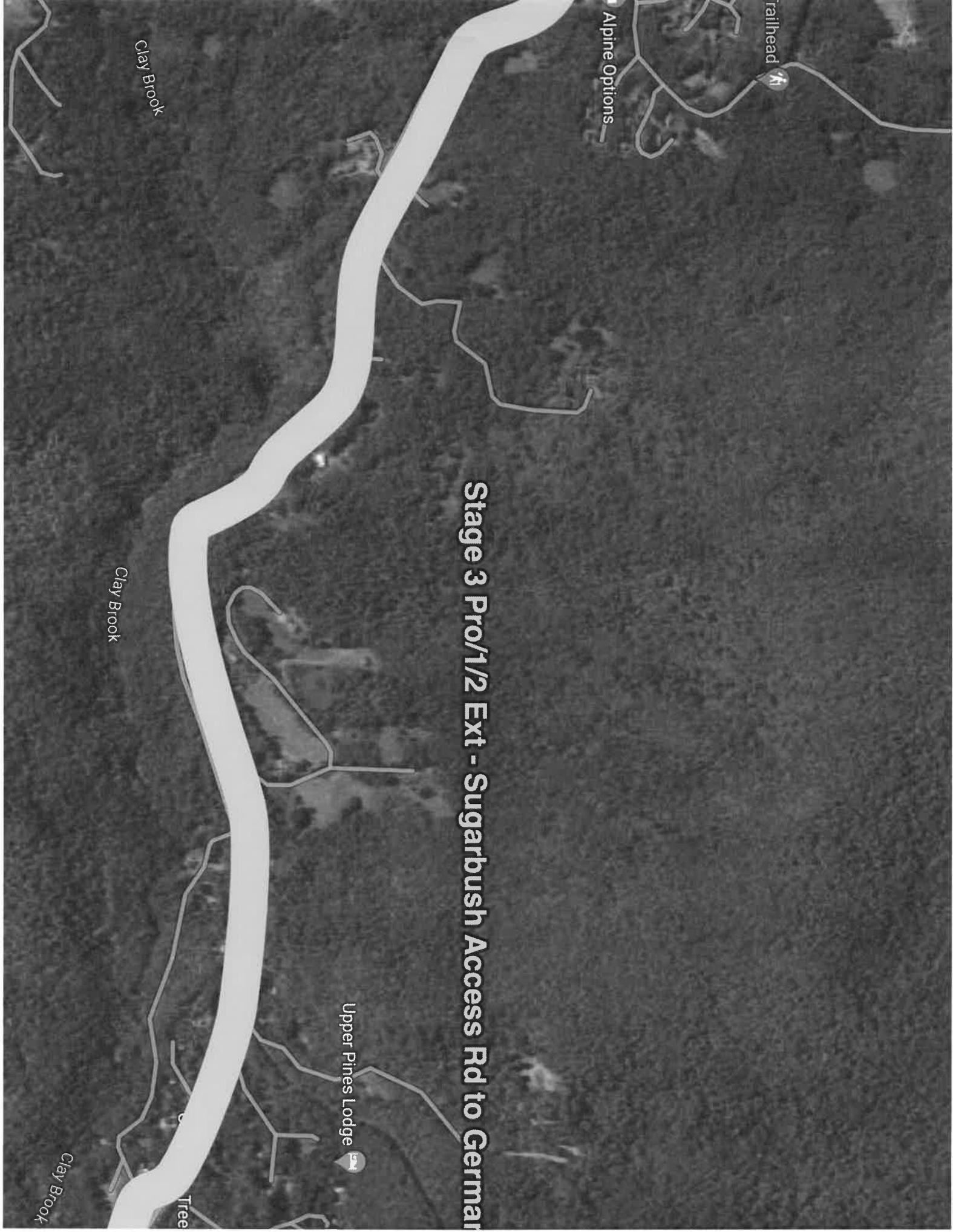
Mountain Flower Farm

Wadhams

Insuli

Daycare Facility

Sanchez Painting



Stage 3 Pro/1/2 Ext - Sugarbush Access Rd to German

Trailhead

Alpine Options

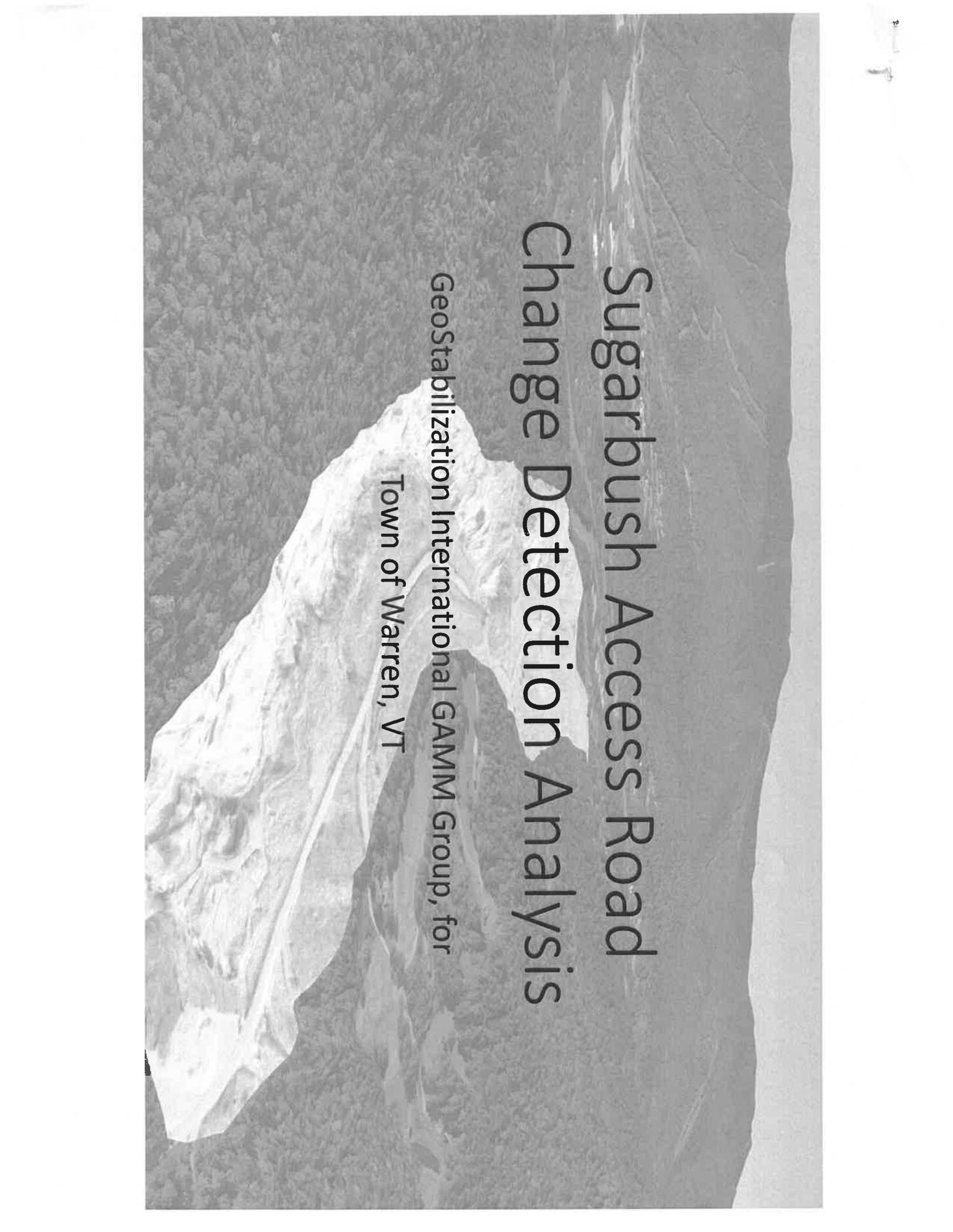
Clay Brook

Clay Brook

Upper Pines Lodge

Tree

Clay Brook

An aerial photograph of a mountainous landscape. A road winds through the terrain, and a large, prominent white rock formation is visible in the foreground. The text is overlaid on the image.

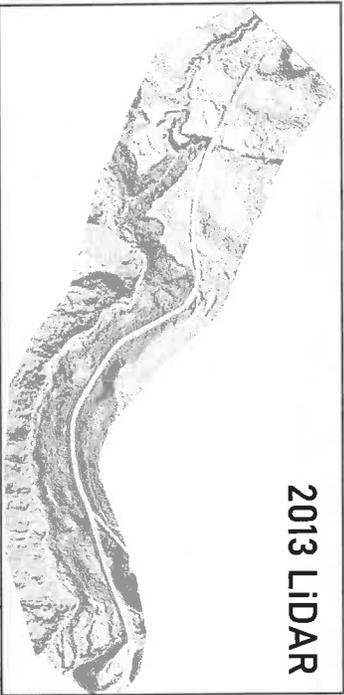
Sugarbush Access Road Change Detection Analysis

GeoStabilization International GAMM Group, for
Town of Warren, VT

Background

1. Following a warranty-related repair at one of several GSI construction projects along the Sugarbush Access Road, GSI and the Town of Warren, VT wanted to better understand displacement along the entire road corridor
2. The GSI geohazard asset management group compared two sets of 3D laser scan (LIDAR) data, one from 2013 and the other from 2021, to identify and measure change in the ground surface along a one-mile by 500' stretch of the Access Road.
3. The following slides present our findings, recommendations and next steps for helping the Town of Warren manage this critical transportation asset.

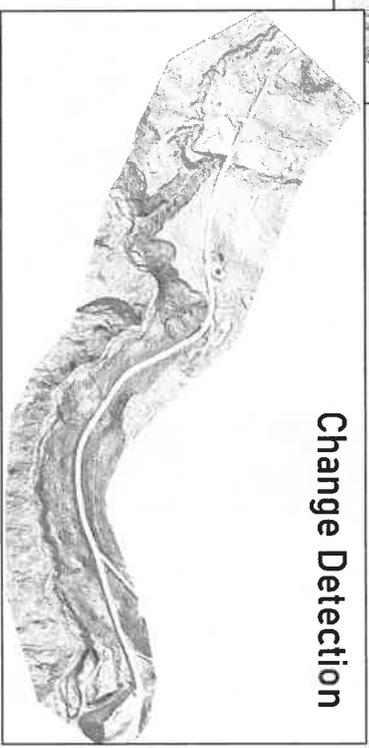
2013 LIDAR



2021 LIDAR



Change Detection

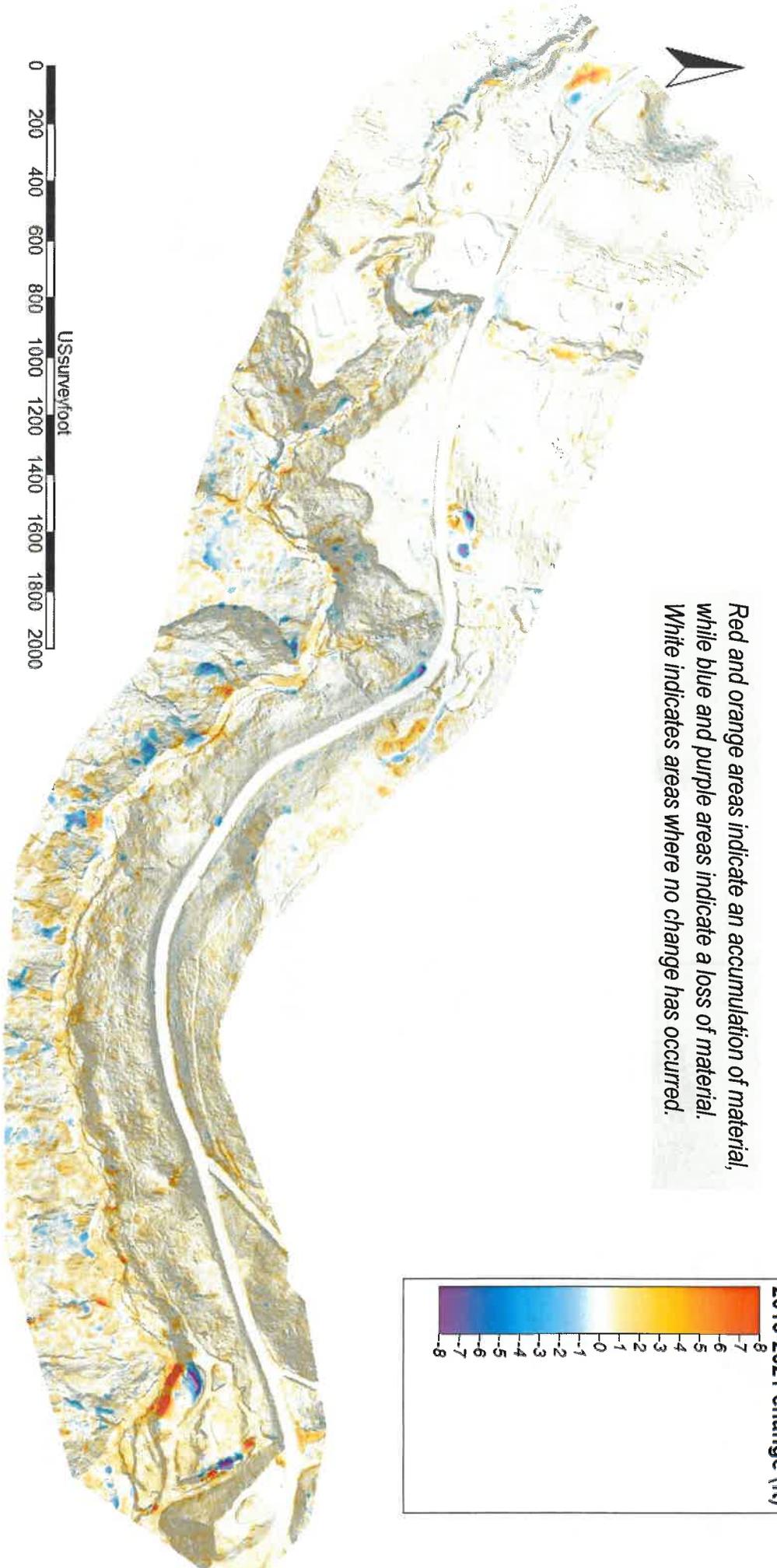
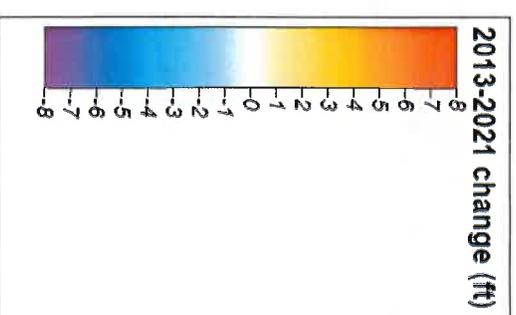


Change Detection—Process

By comparing 3D point clouds from two time periods, we can identify and measure change.

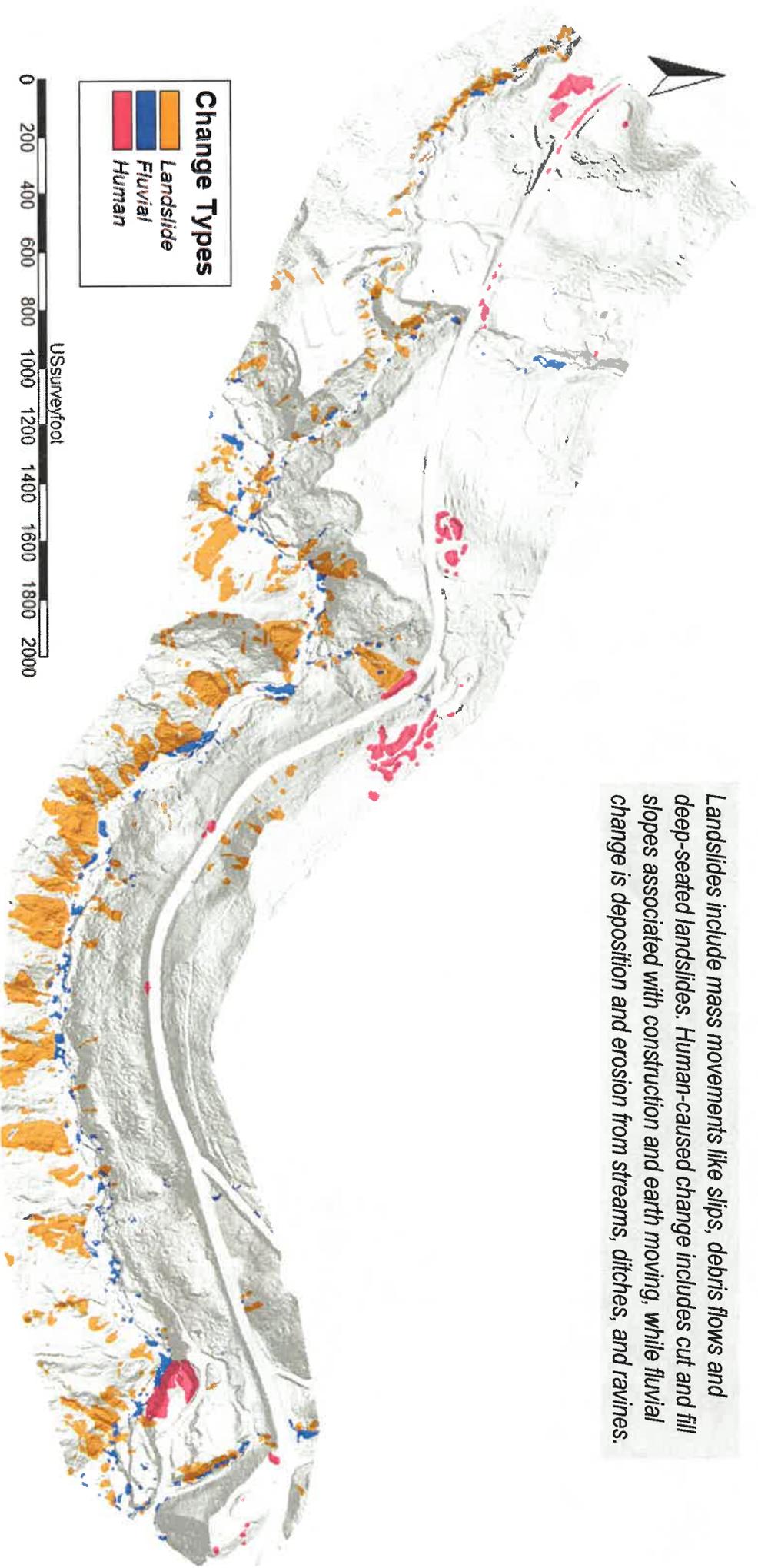
Change Detection—Overview

Red and orange areas indicate an accumulation of material, while blue and purple areas indicate a loss of material. White indicates areas where no change has occurred.



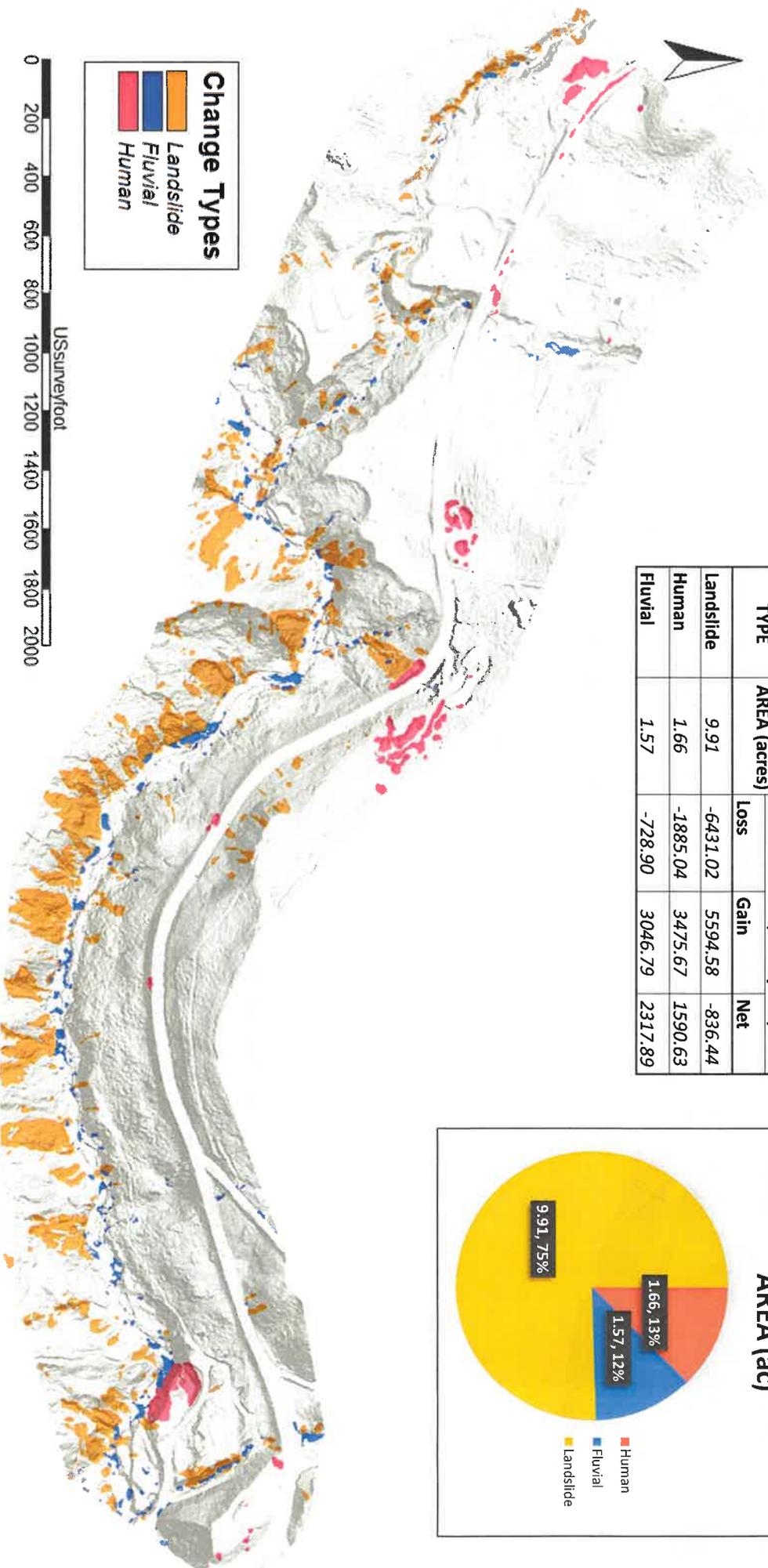
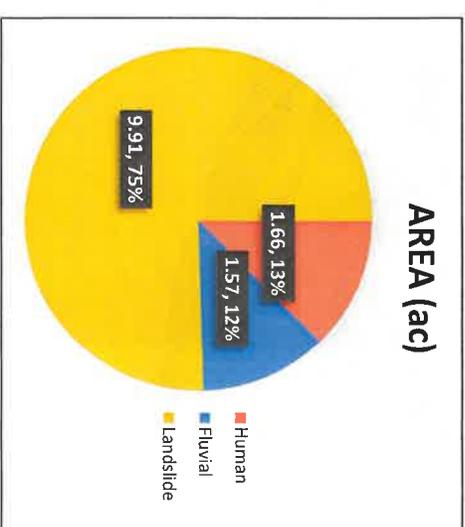
Change Detection—Types and Causes

Landslides include mass movements like slips, debris flows and deep-seated landslides. Human-caused change includes cut and fill slopes associated with construction and earth moving, while fluvial change is deposition and erosion from streams, ditches, and ravines.

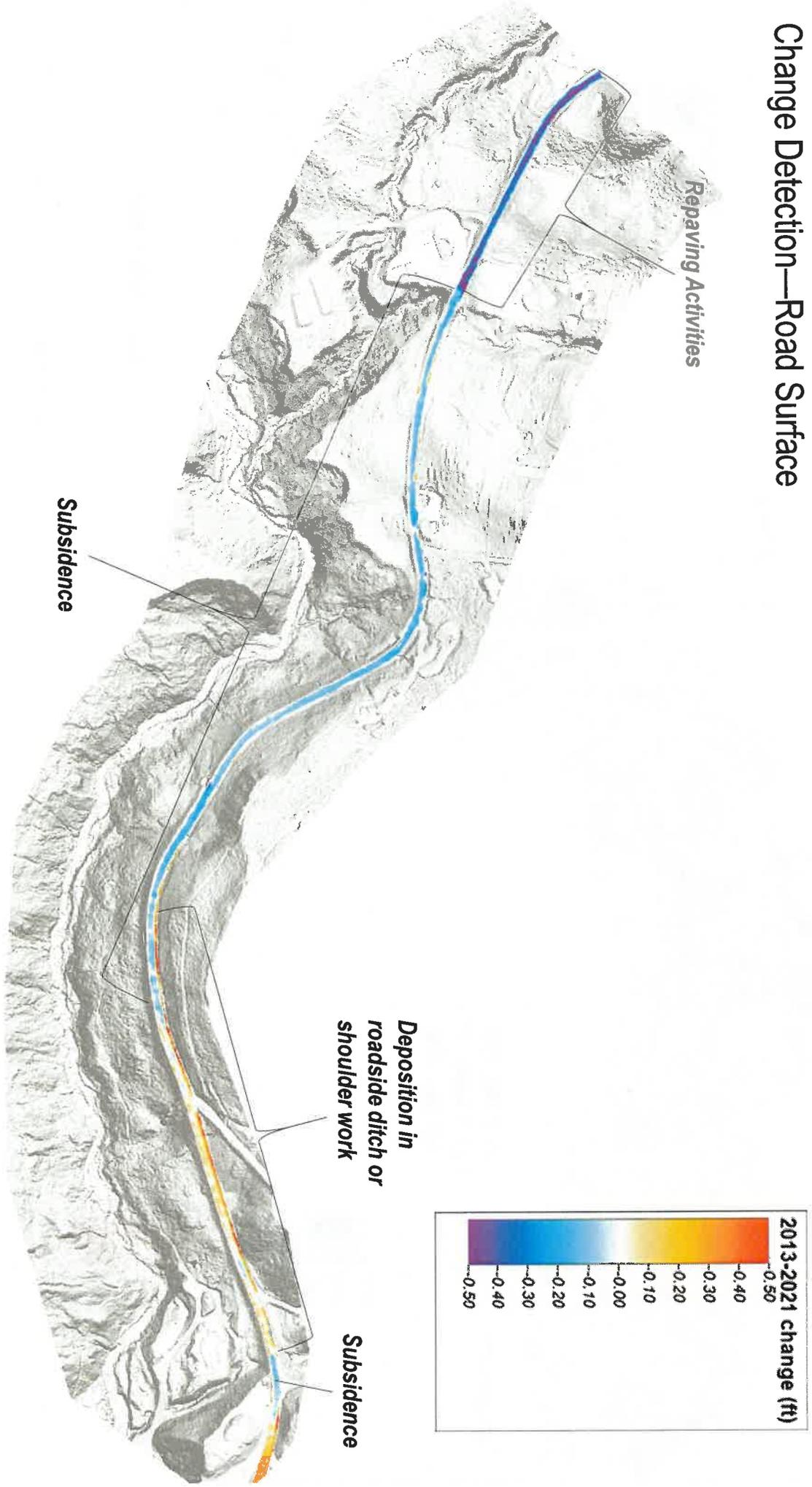


Change Detection—Metrics

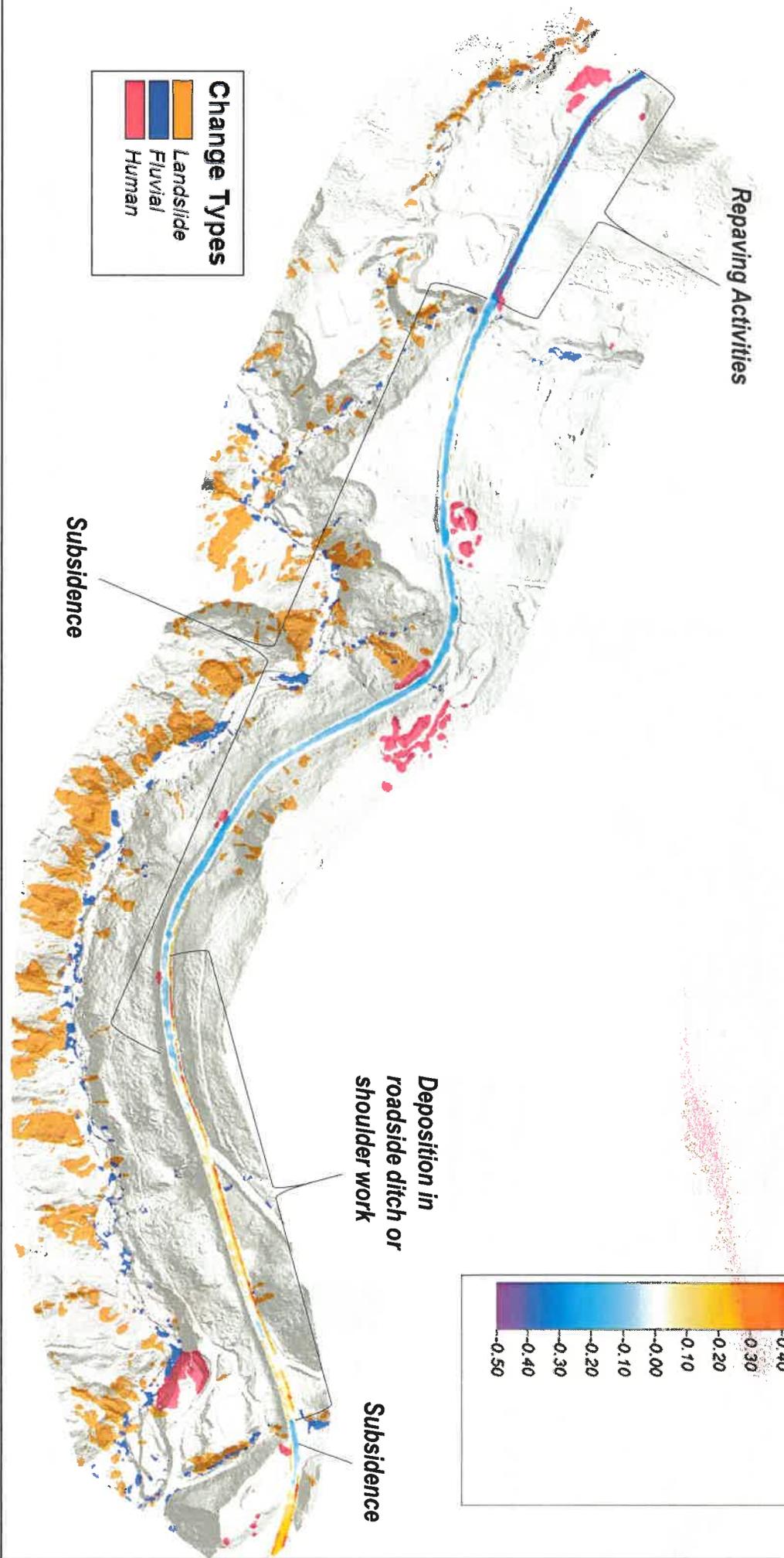
TYPE	AREA (acres)	VOLUME (cubic yards)		
		Loss	Gain	Net
Landslide	9.91	-6431.02	5594.58	-836.44
Human	1.66	-1885.04	3475.67	1590.63
Fluvial	1.57	-728.90	3046.79	2317.89



Change Detection—Road Surface



Change Detection—Compilation



Findings

1. Considerable downward movement of the road surface appears to be related to surface water flow and stormwater infrastructure possibly reactivating several large landslide complexes upon which the road is built.
2. Most of the landslide activity over the last 7 or 8 years has occurred on slopes south of Clay Brook. However, accumulation of material from slides on the south bank can shift the brook north increasing stream-related undercutting downslope of the road, potentially increasing landslide risk on the north bank of Clay Brook.

Recommendations

1. **Monitoring:** based on the results of the change detection analysis, we recommend two courses of action with respect to monitoring the Sugarbush Access Road:

- a) **Periodic UAV flights** of just the road corridor to measure displacement of the road surface. This should be done **before and after** each repaving event in order to account for material added to the road surface. Without this we are unable to measure the true movement of the road surface between flights (see “repaving activities” on slide #8).
- b) **Additional LIDAR** data collects every 2 years to monitor the highly vegetated slopes adjacent to the road. This is critical in measuring any larger scale movement that may accelerate the displacement in the road surface.

Recommendations

2. **Analysis:** based on the results of the change detection analysis, we recommend the following courses of action with respect to additional analysis of the Sugarbush Access Road area:
 - a) **Surface water flow modeling** of the corridor and surrounding area to test our hypothesis that the road displacement is related to runoff patterns and the current stormwater infrastructure along the road corridor. The results of this could help drive and guide future changes to drainage infrastructure to mitigation future damage to the road.
 - b) **Multi-criteria Analysis** which will prioritize which parts of the corridor should be dealt with first based on objective criteria like displacement, sight distance, and surface runoff accumulation. This is information can be derived now without any addition data collection and is critical for efficiently managing this asset over time.

Next Steps

If our recommendations are of interest to you, we would be happy to present a scope of services for the additional monitoring and analysis tasks related to the Sugarbush Access Road.