

**Minutes of September 27, 2011**

Warren Selectboard  
Warren Municipal Office  
7:00 PM

**Members Present:** Andrew Cunningham, Chair, Matt Groom Chair, Anson Montgomery, and Kirstin Reilly. (7:45PM)

**Members Absent:** Bob Ackland

**Others Present:** Kate, Warner, Liza Walker, Jim Groom, Damon Reed, Rudy Elliott, Margo Wade, Karen Hewitt, Doug Condit, Barry Simpson, Craig Klofach, Ellen Strauss, Cindi Jones, and Robin Blier.

**7:10 PM** – Meeting called to order by Mr. Cunningham.

**7:11 PM** – Mr. Cunningham started the meeting off by making a public apology to the Conservation Commission Members for not controlling the last meeting from a taxpayer that was out of line in voicing his verbal opinions attacking the members. Mr. Cunningham and Mr. Groom would make sure this situation would not happen again.

**7:12 PM** – Interim Bylaw – Emergency Flood Hazard Regulations – Mr. Klofach – Mr. Klofach explained to the Selectboard that these were only Interim Emergency Flood Hazard Regulations to allow Mr. Malboeuf, Zoning Administrator, to expedite permits for damaged properties and flood zone properties resulting from Hurricane Irene. Section B of Interim Bylaw states: "As a result of flooding associated with tropical storm Irene on August 28<sup>th</sup> and 29<sup>th</sup> of 2011, several town residents have experienced damage to their property. The Town's current flood hazard area regulations require that the DRB approve all development, including repairs, in mapped flood hazard areas which could cause unnecessary and undue delay in issuing permits for the repair of properties that suffered minor flood damage". This Interim bylaw expires March 1, 2012.

Motion by Mr. Groom to accept and approve the Interim Bylaw Emergency Flood Hazard Regulations, second by Mr. Montgomery. All in Favor: VOTE: 4-0.

Also of note: The Planning Commission will be having a public meeting on the district zoning changes and will be taking comment at their next meeting.

**7:15 PM** – Roads Status Report – Mr. Simpson, DPW – The crew has started work on Fuller Hill Road on removing and replacing culverts. Flat Iron is closed waiting for getting large flat stone to do a partial Re-construct. Mr. Cunningham had been approached by some citizens indicating that the board was going to narrow the road. He clarified that the road is not going to be narrowed that it would be partially reconstructed with large flat stones and returned to what it was originally. The crew has done a temporary fix. F.W. Whitcomb has completed the drop inlets on the Access Road and the reclamation is going well. They completed about 160' more than the contract stated extending down to the Lower Pines Road. Mr. Simpson also presented a plan of Public Works Projects stating who fix, materials needed, equipment and the no. crew x days to complete. Mr. Montgomery would put this in digital format so that Mr. Weston and Ms. Jones could make changes, deletions, and priorities. Mr. Simpson had given Mr. Weston and Ms. Jones a copy of only the projects but no other cost, man hours, days were on the sheets provided.

Plunkton Road Bridge – Mr. Simpson met with an engineer from Dubois & King regarding this bridge. The engineer was in agreement that it would need to be replaced for a price of about \$400,000.00. In the interim future the crew could stabilize the bridge by using some steel beam bracing and filling in the excavated area. This project would require a hydrology report that would provide different options for coming up with a solution.

The engineer stated that this would be a temporary solution to get it through the winter months. Mr. Simpson was asking the board for authorization to proceed with hiring an engineer from Dubois & King for doing investigative costs. Mr. Cunningham stated he would like the engineer to give the town a cost for doing such investigative work before authorizing an expenditure.

Mr. Elliott voiced a concern that the culvert patching on the East Warren Road done by Gorman was inadequate. Mr. Cunningham also agreed and asked Mr. Simpson to follow up with Gorman stating the culvert patching was inadequate.

**7:55 PM – Warren Preservation Dam Trust** – Mr. Rood came before the board to discuss what plans the Dam Preservation Committee were looking at doing in trying to repair the dam from Irene. Mr. Rood was also inquiring on what the town was going to do with Covered Bridge. The Town has had a state engineer that has looked at it and stated that currently the washed out abutment needs to be filled. Ms. Strauss has contacted Mr. Newman, AOT, who works for the historic division to come and look at the Covered Bridge for any damage as the Timber Crib Dam, The Covered Bridge, and Jim Groom's retaining wall and mill pond are all part of the Warren Historic district. There are currently 3 projects in that one area that requires getting into the river. Mr. Rood commented it would be nice if all 3 projects could be done together at one time if possible. Matt Groom, Vice Chair, of the Warren Selectboard will take on the lead role in coordinating and developing a plan to meet the ANR River Specialist, Patrick Ross, Mr. Newman from the AOT on Historic Preservation in trying to tie all the projects together.

**8:25 PM – Conservation Commission** - Eaton Parcel Conservation Easement - As requested from the last meeting, the Conservation Commission Committee came back to the board with a map of the area showing the parcel and a sample easement from the Vermont Land Trust on uses and activities that be limited or prohibited by the Conservation easement. Ms. Walker from the Vermont Land Trust stated that the town can add or subtract things from the easement making it custom to the Town's needs. Ms. Reilly was concern about the flexibility of the parcel with restrictions. Mr. Montgomery commented that the uses for and used prohibited and the map looked good. Ms. Wade commented that the conservation Commission is working towards the steps outlined in the Management Plan signed by the Selectboard in 2008. Mr. Cunningham was reluctant to tie up any town owned parcels putting restrictions on them. It is a good parcel for an easement as much of it is rocky and steep. Mr. Cunningham inquired about the old sugarhouse that is on the property and if it fell down could it be rebuilt as the prohibited use include construction of buildings or structures. Ms. Walker commented that it is an agricultural building and could be rebuilt and that you could add the square footage to the easement. In summing up the discussion, Mr. Cunningham stated that the Selectboard was being asked to support the idea of the easement and giving the go ahead to apply for the grant application to pay for all the costs. The Conservation Commission were not asking the Selectboard to approve an easement at this time.

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Motion by Mr. Montgomery to authorized the Conservation Commission to apply for the grant application funding for a Conservation Easement on the Eaton Parcel, second by Mr. Groom. All in Favor: VOTE: 4-0.

**8:45 PM** – Approval of Minutes – Motion by Mr. Groom to approve the minutes, second by Ms. Reilly. All in Favor: VOTE: 4-0.

**8:50 PM** – Approval of Warrants – Motion by Mr. Montgomery to approve the warrants minus the \$8,500 for the Rental of the excavator, second by Ms. Reilly. All in Favor: VOTE: 4-0.

**8:55 PM – Other Business –**

Excavator Rental – Mr. Cunningham inquired of Mr. Simpson if the excavator was being utilized. Mr. Simpson commented that it was for a time, but due to hauling of the state gravel given to the town, it has been sitting at the town garage. Ms. Jones stated that she needed a signed rental agreement for FEMA processing. She has followed up with company in NH, who then gave her Newton Constructions' number as the rental was process through them. As of last night, there has been no response. Mr. Cunningham stated that Mr. Simpson and Mr. White (as he requested it) needs to provide a signed contract and needs to have money refunded for the time it was not being used. Mr. Cunningham also commented that Mr. Weston needs to provide a schedule for the two months on planned activities and that he needed to use the equipment as the road crew has requested it.

Town Hall Window Quote – HK Builders provided a quote for the storm windows as requested by the Library Board at an earlier meeting. HK Builders came back with a quote of \$6,150.00 for the work.

Motion by Mr. Groom to accept the quote for \$6,150.00 for the Windows in the Town Hall, second by Mr. Montgomery. All in Favor: VOTE: 4-0.

**9:10 PM** – Motion by Mr. Cunningham to go into executive session to discuss personnel and invite Ms. Jones, second by Mr. Montgomery. All in Favor: VOTE: 4-0.

**9:30 PM** – Motion by Mr. Groom to come out of executive session, second by Mr. Montgomery. All in Favor: VOTE: 4-0.

**9:32 PM** – Motion to adjourn by Mr. Montgomery, second by Mr. Groom. All in Favor: VOTE: 4-0.

Minutes Respectfully Submitted by,  
Cindi Jones, Warren Town Administrator

The Warren Selectboard

Andrew Cunningham, Chair

Matt Grob, Vice Chair

Kirstin Reilly

Anson Montgomery

Bob Ackland



# Vermont Land Trust

CONSERVING LAND FOR THE FUTURE OF VERMONT

## Town of Warren - Eaton Forest Conservation Project Goals

**At the Town of Warren's request, The Vermont Land Trust will prepare a Grant of Development Rights, Conservation Restrictions and Public Access Easement for the Eaton Forest. This Easement will recognize the Town of Warren's intention to use the Eaton Forest for the following purposes,\* in perpetuity:**

- a) Recreational use by the community and school, including but not limited to hiking, mountain biking, skiing, snowmobiling, snowshoeing and horse back riding. Establish, maintain and use existing and future recreational trails, including the Mad River Path, Interpretive Loop trail and Vista trail leading to Pinnacle outlook.
- b) Protection of natural communities, wildlife habitat, scenic values and water quality
- c) To conduct forestry activities in accordance with a forest management plan to steward the forest, utilize timber resources, manage wildlife habitat and protect significant natural features, including the vernal pool and wetland sited on the property.
- d) Educational and scientific uses by the school and general public.
- e) Use of a Management Plan to balance the protection of natural resources, public recreational uses, silvicultural activities and other activities on the property.

**The following uses and activities will be limited or prohibited by the Conservation Easement\*:**

1. Subdivision, or conveyance of Eaton land in separate parcels.
2. Construction of buildings or structures, *except for minor recreational structures such as benches, kiosks, tent platforms or shelters.*
3. Excavation, removal or topsoil, sand, gravel or rocks, *except as necessary to carry out purposes of the easement.*
4. Conveyance of rights of way, driveways, roads or utility lines, *without VLT permission or as necessary to carry out purposes of easement.*
5. Use of motor vehicles, except for forest and wildlife management, recreational trail construction or emergency purposes

**Excluded Land:** Approximately 6.5 acres of the Eaton Parcel, as depicted on attached map, will be excluded from the conservation easement to facilitate potential future municipal uses of the field.

**Costs:** The total of VLT's expenses for this conservation project are estimated to be approximately \$14,000. The Warren Conservation Commission and the Vermont Land Trust will seek grants to cover the associated costs and stewardship endowment from the Open Space Institute and the Freeman Foundation.

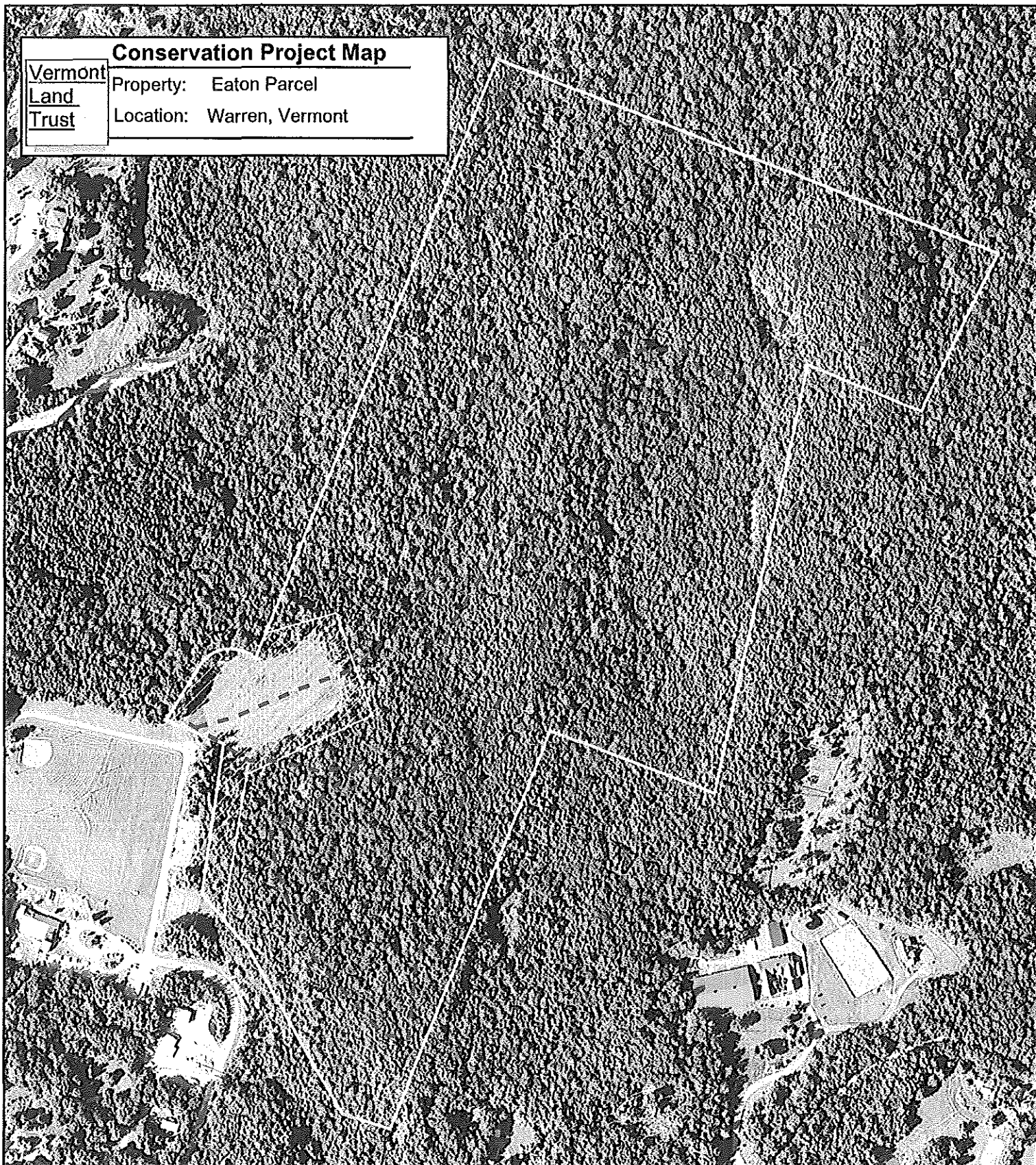
*\* This is only a summary of the proposed conservation easement. Please refer to a sample Grant of Development Rights, Conservation Restrictions and Public Access, provided by VLT, for a comprehensive description of the terms of the easement.*

Vermont  
Land  
Trust

## Conservation Project Map

Property: Eaton Parcel

Location: Warren, Vermont



Recreational Trails

Eaton Parcel

Excluded from  
Conservation Easement

0 160 320 640 960 1,280

Feet

