

**TOWN OF CHARLOTTE
SELECTBOARD MEETINGS
APRIL 7, 2008**

APPROVED

MEMBERS PRESENT: Charles Russell, Chairperson; Jenny Cole, Ed Stone, Winslow Ladue, Frank Thornton.

ADMINISTRATION: Dean Bloch, Selectboard Assistant.

OTHERS: Marty Illick, Larry Hamilton, Ellie Russell, Bob Hymans, Dorothy Pellett, Sonja Ullrich, Robert Pellett, Jessie Bradley, Joan Allen, Norman Pellett, Trafton Crandell, Allen Karnatz, Sheila Burleigh, Frances Foster, John Hammer, Charlotte News; and others.

1. CALL TO ORDER

Mr. Russell called the meeting to order at 7:05 p.m.

2. ADJUSTMENT TO THE AGENDA

None.

3. REQUEST FOR TWO DISBURSEMENTS OF \$135,000 AND \$145,000 FROM THE CHARLOTTE CONSERVATION FUND TO BE USED RESPECTIVELY FOR THE PURCHASE OF DEVELOPMENT RIGHTS ON 68 ACRES AND THE PURCHASE OF 127 ACRES BY THE NATURE CONSERVANCY OF THE BURLEIGH PROPERTY LOCATED ON SPEAR STREET

Marty Illick, Charlotte Conservation Commission representative, handed out copies of a cover letter from the Charlotte Conservation Fund Advisory Commission, dated 04/07/2008, for Board review regarding the Burleigh Farm and Forest project, also known as Lewis Creek Hill.

Ms. Illick said that the commission was seeking \$145,000 from the Conservation Fund to purchase 127 acres included in the Forest project and \$135,000 for the 68 acre Burleigh Farm parcel. There would be a Forest Management Plan to manage the forest project.

Mr. Russell asked why the project wasn't a normal conservation easement. Ms. Illick replied that the Burleighs wanted to sell the land to conserve it.

There was lengthy discussion regarding the funding of the 127 acre forest parcel using 29 percent Town sources with the Town having "Executory Interest" only; conservation restrictions, which would be similar to the William Woods Management Plan; existing trails on a wood road and the property right-of-way that would be accessible by the public (a proposed bridge was not funded at this time); conservation easements held by VHCB; easement restrictions that included no development, a management plan, public access and private access; potential logging on a temporary arrangement; and the extent of a proposed wetland restoration plan.

Sheila Burleigh, owner representative, pointed out an existing farm road where the wet area could be crossed to the fields. The 25 acre wetland restoration included restoration of a stream and then nature would be allowed to "take its course". Invasive species would be controlled.

Mr. Thornton stated that he would like to review the deed for the purchase of the property and terms/conditions. Ms. Foster said that the Burleigh's lawyer would prepare the property documents prior to the closing. The deed doesn't contain the terms/conditions, which would be in the VHCB easement document.

Ms. Foster suggested that the Board could approve the requested Charlotte Conservation Fund disbursement contingent upon a review of the purchase documents. Ms. Illick spoke in support of the Nature Conservancy Burleigh property purchase.

Mr. Thornton asked who the other parties were and what their interest was. Does the Town's Executory Interest follow behind other's interests. Would the purchase documents need review by the Town Attorney, asked Mr. Thornton. Jessie Bradley replied that if the Selectboard approved the disbursements that would move the project forward. Robert Hyams, Conservation Commission and Trails Committee representative, pointed out that it doesn't always happen that easements were given. Trails in this part of Town were not on the Trails Committee's radar screen, or Vision Map.

Mr. Russell said that the project hasn't been discussed by the Recreation Commission or the Selectboard. The Selectboard would like to review the conservation easement.

There was further discussion regarding the Burleigh property related to an adjoining property (A Johnson parcel) and a 100' riparian buffer; forestry value and a 10 year management plan to be spelled out in the easement; and use of the Conservation Fund money.

Ms. Illick handed out photographs of the 68-acre farm parcel for Board review. The proposal would allow the Burleighs to continue to farm and to protect wetland and agricultural land resources.

Issues identified for further discussion included trails, the Town's Executory Interest, a Forest Management Plan, easement(s) outlining public access, and identifying which maps apply (Town map).

MOTION by Mr. Stone, seconded by Mr. Ladue, to grant a request for two disbursements of \$135,000 and \$145,000 from the Charlotte Conservation Fund to be used respectively for the purchase of development rights on 68 acres and the purchase of 127 acres by the Nature Conservancy of the Burleigh property located on Spear Street pending review of a public access easement on the Forest parcel, review of a Management Plan on the Forest parcel, review of the Executory Interest on both parcels, review of trail possibilities by the Trails Committee, and review of any further easements coming forward.

FRIENDLY AMENDMENT by Mr. Thornton, to include pending a review of all easements and title.

DISCUSSION:

Mr. Russell asked at what point would the funding be required. Ms. Illick replied at the closing. Mr. Russell asked if the Selectboard would see all legal documents at that point. Mr. Hyams said that a copy of the proposed agricultural easement would be sent to the Town Planner.

Mr. Stone asked if there should be a special meeting held for further discussion. Mr. Russell replied that a review of other documents would be done at the 04/28/2008 Selectboard meeting.

Joan Allen said that a boiler plate document would be sent to the Board for review. A Forest Management Plan was harder to write.

Mr. Ladue noted the historical use of the property and that access has been through the property. The simplest is to use the roads always used. Joan Allen said that for management purposes a proposed alternative route would be included in the agreement with the Burleighs. There was no point to discussing a management plan now if it was unknown if there would be any logging.

Mr. Russell asked if a right-of-way required a corresponding curb cut. Joan Allen replied that no curb cut was needed. There was an existing right-of-way. An alternative was suggested by the Burleighs so we wouldn't disrupt farming. If there were to be any logging it would be discussed with the Burleighs. Mr. Ladue suggested that it would be better to have that discussion first.

SVOTE: 4 ayes, 1 nay (Mr. Thornton); motion carried.

4. SELECTBOARD WORK-SESSION FOR WORK PLAN AND APPOINTMENT OF LIASIONS

5. ADJOURNMENT

MOTION by Mr. Stone, seconded by Mr. Ladue, to adjourn the meeting.

VOTE: unanimous; motion carried.

The meeting was adjourned at 9:15 p.m.

Respectfully submitted, Kathlyn Furr, Recording Secretary.

These minutes are subject to correction by the Charlotte Selectboard. Changes, if any, will be recorded in the minutes of the next meeting of the Board.