

Minutes Groton Rail Road Bed Committee Meeting – Dec. 15, 2017 - DRAFT

In attendance: Deborah Jurist – Co- Chair, members: Brent Smith, Barbara Johns, Mary Ellen Boyce, Dave Spencer, Greg Western Kitty Diggins, non members: Brian Wohlleb,

Meeting called to order at 6 pm

Minutes were approved with one change:

It was agreed that at the Informational meeting Harold Hatch was concerned about vehicles going too fast on the Railroad Bed.

Discussion: Section of ordinance called Purpose

Dave explained the Statute ??? which gives the Select Board of the Town the authority to pass ordinances for the town.

Dave will add language concerning the RR Bed Ordinance adhering to State and Federal laws.

Dave will take another pass at the Purpose in order to add more language adding natural beauty and the recreational use and preservation of the RR Bed with the flavor of our community.

Letter: The letter to abutters will be reviewed and hopefully approved via email.

Minutes “draft” from last meeting and the most recent rough draft of the ordinance is on the Grotonvt.com website. Dave will add new versions and keep the old ones on the website.

There was Discussion on getting minutes into JO and other papers. There was Discussion about how to get the word out so that there is public participation in the process.

It was decided to put a report in the Town report on what the RR Bed Committee is doing.

Responses to the abutter letters will go to Town Clerk and then come to the meetings for review and response.

Website lists committee members.

Greg: The RR Bed is already part of the Across Vt Trail. Our section was the Wells River Montpelier Railroad. History: in the 1957’s the state took ownership of the RR Bed it was given to the town of Groton. Groton is the only town that “Saved the Bed” when it was deeded to it. All the other towns including Ryegate turned it into a road. In some towns it is still owned by the state, parts were sold to land owners by the state. The state just gave it away in some towns because they didn’t want it anymore.

Stipulation: Must be for “public use” in the deed. Discussion of what “public use” means. This would be described by the committee defining Current Use.

Greg pointed out that other towns are spending millions of dollars to reconstruct their RR Beds. Groton RR Bed is worth “millions”

Cross Vermont Trail = Idea to make a network of assigned trails that go across the state” connecting schools and towns, and public areas etc.

Different Towns have different versions of the CVT, in some places it might be a bike path.

The Cross Vermont Association Mission is to work with different towns to help take care of the trails, to promote them, and to connect them as an active route, where kids or older people can ride a bike or walk safely and to connect Groton, Ryegate and Wells River. As part of the Cross Vermont Association Current Use There is the Fall Foliage Bike Ride that goes from Groton State Forest to Wells River.

Property value on the Cross Vermont Trail is enhanced by the trail, possibly increasing the monetary value of the property.

Cross Vermont Trail is a patchwork quilt of trails connecting towns, but each town has it’s own version.

Cross VT Trail helps with maintenance, and has done work on the part of the trail from 302 to Ricker’s Mills which is the least maintained area. As long as the RR Bed is more like a “trail than a road” the Cross Vermont Trail has the ability to contribute some money and resources.

On the width of the bed: the width varies. It is at least 3 rods is written in the draft ordinance. It is 5 rods (82.5 ft) wide from Ricker’s mill to Coal Kiln Rd. A rod is 16 feet. from Coal Kiln Rd . Through the rest of the town it is mostly 60 feet wide with some variation. The RR Bed is 6 miles long

Some people have already cut trees right up to the track, meaning on the RR Bed, CVT has offered to plant trees on those places. They did plant trees after Irene. CVT were very helpful in maintaining the RR Bed, up by Rickers after Irene.

Term Trail:

Classification of Roads: Brent defined Class 1 through Class 4 roads. RR Bed is not on the highway map. If we go through the process to make it an AOT/VTRANS trail it would appear on the highway map. The AOT or VTRANS definition of a trail would be on the highway map and would be maintained by the town as a right of way, but it doesn’t have to be maintained by the town. There are different levels of maintenance defined by the Select Board.

The Railroad bed is currently simply Town Property. It is not classified as any type of road.

The CVT Forest Parks and Rec. maintain the trails and greenway system. It has a completely different definition of what a trail is. They say, if you call it a Trail, it is a

trail. If it is in the Vermont Trails and Greenway system, it is eligible for grants. Our RR Bed is in the system as a Trail. Also any VAST trail is in the system. Our RR Bed is a VAST Trail.

The word trail has a certain understanding to it in the public sense. The value of calling it the Groton Rail Trail accentuates the fact that it is part of the CVT system. When you call it the RR Bed, people think that there might be tracks on it.

We need to consider what we will call the trail. Calling it the Groton Rail Trail, shows it's ownership by Groton, and that it is part of the CVT system.

Within the Forest Rec. System there are no limitations, but if it is part of the VTRANS system then there are rules that the town has to follow.

The 2 uses of the word Trail:

AOT/VTRANS: there are regulations to follow, the SB makes maintenance choices.

Trail as per the CVT and Dept Forest and Rec. There is a criteria for what makes it a trail. If it is treated more like a road then they do not contribute help and it is not eligible for grants.

If it becomes a VTRANS Trail, the SB has to adopt it in the same way that the SB adopts a road.

If we adopt just an ordinance then the SB sets the rules, by adopting the ordinance. It can then be a CVT.

It can be a VTRANS trail and a CVT trail. But to be a VTRANS trail it must be adopted as a trail by the SB.

Would it benefit us in any way if we went through the VTRANS process to make it a Trail that way? If it were on the VTRANS map, it would show up on a Garmin, as it is now on the CVT map it doesn't show up that way.

There was discussion about whether there would be more or less control for the town if it becomes a VTRANS Trail.

It might not make a difference because it is next to water. Water standards by ANR require that you have to address even a 12" water feature (i.e.) a rill, even on a Class 4 road.

An ordinance can't be changed by the SB on a whim, like a policy could. This is an important thing. An Ordinance doesn't lend itself to change.

We can have an ordinance and then get a VTRANS Trail classification put in place. In fact we might need an ordinance to really define what the Town wants for the RR Bed, so long as the ordinance conforms to state laws.

Whatever we decide the lawyer will review the ordinance before it goes to the SB and then the SB has the final say and must approve it before it can become official.

The VTRANS rules are very vague and basically just say, it is not a road. We have Class 4 roads that are treated as trails. Could we make them Greenway Trails?

Speed limits and rules from the VAST organization were handed out for discussion at the next meeting when speed limits for all vehicles and right of way for whether cars pull off for walkers etc. The state laws do apply for this. In an ordinance we have the opportunity to make Rules for snow mobile speed limits which are currently very “wishy washy”.

Who will have the responsibility for enforcing speed limits, the constable? How would he do that? The Constable can get to road crossings on the RR Bed easily and use a radar gun. That presents a huge challenge if he is trying to catch someone who is going 70 mph., although he can use his radar gun. The Sherriff’s Dept. enforces speed now up by Rickers. In the current draft of the ordinance it is stated that it is not just the town law enforcement but any law enforcement dept. can be called in.

We can report someone speeding on the RR Bed just like we do when we see someone passing a school bus now for instance. You can use a cell phone for a camera, or get the registration number from Bill Cain.

You can’t avoid making rules because you fear that you can’t enforce them, so you have to do your best to figure out how they will be enforced.

The draft ordinance has a 25 mph for snowmobiles between Coal Kiln and Powder Spring Rd., which is basically the center of town. Once we call it a trail and it is “out there” we will have more people coming to use it.

We might want to add other parts of the trail for speed limits. There was the question of how snowmobilers will react to having 25 mph speed limits. You can hope to slow people down to protect pedestrians, and wild life.

Greg gave Mary Ellen a copy of the map showing the RR Bed when it was deeded to the town in the 1980’s.

We discussed some of the history of the RR Bed. The tracks are still in the water off Seyon Pond Rd. in a swimming hole near where Mary Ellen lives now. There used to be a bridge that washed out up there.

Dave will send around the report for the Town report.

Next agenda:

To be updates

Speed limits between ryegate and powder spring.

Trapping ban on RR Bed? We need to look at state law. We can put it in and lawyer can take it.

Definition of Trail VTRANS vs. Greenway Dave will bring process for making it a VTRANS trail.

Greg: Greenway Vt Trail system definition

Tasks:

Kitty will upgrade the map adding property ownership and completing the list of abutters.

Dave will write a report for the Town report. And share it via email for approval

Mary Ellen will reach out to JO to publish minutes. Bridge, Trendy Times possibly write an article.

Brent will talk to people in Ryegate about our project

Greg will bring a definition of a Trail by the Greenway system, and he will find out if we classify the RR Bed as a VTRANS trail does it exclude it from being a greenway trail?

Next meeting will be Jan. 5<sup>th</sup>.

Meeting adjourned at 7:30 pm

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