

WEST WINDSOR SELECTBOARD

Draft Minutes
March 22, 2011

Present: Glenn Seward, Tom Kenyon, Bruce Boedtke, Cathy Boedtke, Shelley Seward, Phil Arvidson, Mark Isenberg, Amy Yates, Mark Nowlan, Kerry Banks, Jim Lyall, Bill Young, Bill Ley, Jane Hoisington, Audrey Halpert, Raina White, Len Clough, Dana and Paula Waters, Nancy Gaynor, Randy Perry, Chris & Nancy Nesbitt, Ted & Cindy Siegler, Erik Schutz, Ashley Pakenham, Win & Rita Johnson, Martha Harrison, Peter Ferick, Hal Pyke, Cathy Geagan, Steve Ott, Jim Kenyon, Wayne Lemire, Shirley Ouelette, Elaine Van Brunt, Dennis Dowling, John Zelig, Freddy & Arthur Steinberg

Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 7:00 PM.

Public Information Session on the possible purchase of Mile Long Field – Glenn noted that Mile Long Field is mentioned a number of times in the Town Plan as an important scenic and natural resource that should be preserved. Currently, there are zoning restrictions on development in the field but zoning can change. The only way to ensure permanent access and preserve the open space is to own it. The amount of land the town is thinking about purchasing is 47.4 acres and the owners are asking \$7,800 per acres, based on a recent appraisal by John Waldo. The total asking price is \$369,720. There would have to be easements for underground pipes for the proposed snowmaking pond. There is a fundraising effort underway with nearly \$60,000 in pledges. The Selectboard and the Friends of Mile Long Field have been working with the Upper Valley Land Trust (UVLT) to apply for a grant from the Vermont Housing and Conservation Board (VHCB) for a maximum of \$100,000 to reduce the burden on the taxpayers if the purchase goes through. Taking Mile Long Field (MLF) off the Grand List would raise taxes on a \$200,000 property by 80 cents per year. If the town contributes \$150,000 to the purchase - \$50,000 per year for three years - the tax rate should remain fairly stable because the final \$50,000 payment on the fire truck will be made this year.

Question: If we do purchase it, is it going to be conserved?

Glenn: Yes, there would be conservation easements on the property from the town to UVLT.

Comment: The Use Value Appraisal program now allows conservation lands to be included.

Question: What determines the grant from the VHCB?

Glenn: The stronger the application, the more likely it is to be funded. UVLT has indicated that West Windsor should not expect any more than \$100,000.

Question: What happens if the town doesn't buy the field?

Glenn: It remains with the current owners who are assuming that it could be combined with adjacent acreage to the west and subdivided.

Question: What did the appraisal state as the best use for the property?

Glenn: The appraiser indicated that establishing a "king parcel" (or parcels) by combining MLF with the acreage to the west would be the best use.

Question: Would there be different zoning restrictions on a king parcel?

Glenn: The development restrictions on MLF would remain in place but the acreage to the west could be developed. The current zoning would allow five-acre lots with on-site sewer or one-acre lots with connection to a sewer system, so the western acreage could be subdivided.

Comment: If the parcels to the west are subdivided with each parcel including a sliver of MLF, there could be a bunch of "no trespassing" signs that would prevent people from walking up there.

Question: Who walks there now? *Approximately half of those present raised their hands.*

Comment: I don't see the point of spending \$400,000 for a 47-acre field that is restrictively zoned.

Glenn: The school uses the field as do the folks from Orange Lakes. The existing access is not guaranteed; it's private property and access could end at any point.

Question: Are we setting a precedent if we purchase this field? Won't there be other fields that people will want us to buy as they become available? Also, the current owner seems to be selling off all the

Resort's assets. I'm worried that there will be no one interested in buying the ski area and it will close.

Glenn: The owners maintain that their business plan envisions Mile Long Field and the acreage to the west being sold to three or four people to lower the asking price for the resort and make it more marketable. Their plan shows that a small, high-quality, family-oriented ski resort will work and there are several interested potential buyers.

Comment: From the resort's perspective, it's better for them to sell it to us because they'll still have access to it for recreational purposes without having to pay taxes on it.

Glenn: They recognize that the asking price for the acreage to the west could be increased if the town owns MLF and it's conserved.

Question: Who is John Waldo working for?

Glenn: John Waldo is working for the resort. His name came from a list of approved appraisers provided by UVLT.

Question: Did the appraisal take into account all the restrictions that are on the land?

Glenn: Yes.

Comment: MLF is adjacent to, would be incorporated with, and provides access to, the Town Forest so purchasing it won't establish a precedent.

Glenn: MLF is also the only parcel of land identified in the town plan as open space that should be preserved. The current owners have been clear about the fact that they are trying to recoup the money they have invested and they believe that the best way to do that is by selling the ski area as a whole.

Question: How does the field interfere with running a ski resort?

Glenn: It doesn't.

Comment: I understand the owner wanting to make money on the field, I just don't think the town should give it to them.

Glenn: There are a lot of people here that use the property and want to conserve it, which is why we're having this discussion – to find out whether the voters would like to purchase it.

Question: What are the alternatives?

Glenn: To associate it with the acreage to the west and subdivide it for development. With multiple people owning portions of MLF, the access would - more than likely - be restricted.

Question: Why couldn't we just purchase an easement to preserve public access?

Glenn: That has not been investigated.

Question: Is there clear title?

Glenn: There is one lien that should be taken care of in the next month and a half.

Comment: Development on the acreage to the west would help keep the General Store alive. It has been a hard winter with the Resort closed. I can't see why anyone would buy a mountain that didn't have a significant piece of property that could be sold to defray some of their costs. Development is not a bad thing and it brings plumbers, electricians, and builders into the General Store. I'm not sure anyone would be interested in buying the resort without MLF.

Comment: The resort is being dismantled piecemeal. The groomers and the contents of the maintenance barn have been sold and the quad chairlift is on the market so the resort, as an asset, has an ever-decreasing value with many hurdles for any prospective buyer to overcome. I'm also concerned about the reduction in the tax base that would occur if the resort were to close permanently. The town should do everything it can to make the resort enticing to a prospective buyer. A subsequent owner might be more amenable to what the town is trying to achieve than the current owner who stands to profit wildly from an appraisal that is entirely in his favor.

Comment: Regarding the need for a police force in the community, while half the people here walk MLF, 100% are interested in police protection, which will have to be paid for by taxes. The town is also exploring the possibility of public water and sewer in the village, which is a wonderful idea, but will also have to be paid for with taxes. The \$50,000 per year that the town has been paying for a new fire truck is a wonderful use of town money, but when you pay off your mortgage, you don't just run

out and buy another house. The viability of the town is tied to having the resort as a viable economic resource.

Comment: We are just beginning to understand the value of protecting our natural resources. Mt. Ascutney is a very valuable natural resource. The communities around Hogback Mountain bought it and turned it into a recreational park and the communities around Mt. Ascutney may want to do the same thing someday. Because it is adjacent to the Town Forest, MLF is significant and the more it becomes a recreational resource, the more the General Store will be in demand by hikers, bikers and horseback riders.

Comment: West Windsor's recreational trails are the envy of the region and we have a 1300-acre town forest that is adjacent to a state park. We have the VT 50, the VT 100, and an abundance of recreational opportunities but there's a point of diminishing return. How much recreation do we need at the expense of commerce? When is enough enough? I don't believe that the Albert Bridge School (ABS) uses MLF as a resource for physical education.

Erik Schutz (School Board member): The ABS winter sports program has used MLF.

Comment: We were attracted to West Windsor by its physical beauty. Open space creates value for all of us and I think we should take a long-term perspective. Whether the town buys MLF or not is not going to create jobs or take away jobs. This is about the view we share for this community and what we want long term. MLF is a valuable resource. They don't make more land. If the access is restricted, it's restricted. I don't think someone is going to buy the ski area or not buy the ski area because of MLF. Whether the school children use it a lot or a little right now, what about the future?

Comment: I do not think that preserving MLF is going to make it harder for there to be affordable housing in West Windsor. If we don't preserve it and it gets broken into lots, those are going to be expensive lots with vacation homes, not homes for young people with kids. I disagree with the idea that selling MLF will hinder the resort's marketability. The resort hands out pamphlets about MLF as an area where people can hike, snowshoe and cross-country ski; it's an amenity they are selling to their guests. If the field is not preserved and is sold off as private lots, the resort will lose that amenity.

Question: If MLF is conserved with the land trust, can the acreage to the west still be developed?

Glenn: The acreage to the west can be developed with or without MLF. With MLF, the lots could be increased in size to make them more marketable.

Comment: There is a time value to money. Why are we thinking about buying this field for a large amount of money, when this could be accomplished much more simply and cheaply with an easement? The buyer controls the price too. The idea that the seller controls the price depends on the market. Is there someone else competing to buy MLF?

Glenn: Nobody is competing with the town to buy MLF. The price of \$7,800 per acre was established by the appraisal and it's a "take it or leave it" price.

Comment: A recent survey published in a developer's magazine indicated that the amenity that sells the most is trail systems. West Windsor's trail system will not work without MLF. As a builder, I think having MLF under town ownership will make property in town much more attractive and increase the number of people coming here.

Comment: Over the past 8 years that I've lived here, more fences and "no trespassing signs" have gone up. I would hate to see MLF get sold and not be usable. It's a wonderful resource and I think we should protect it.

Question: Did the appraiser do an appraisal of the value of an easement? It would be cheaper, and I would support the town paying for such an appraisal.

Glenn: He is considering that now.

Comment: I don't think that piece of land is that valuable.

Question: The asking price is \$379,000?

Glenn: Yes.

Comment: 15 years ago, the previous owner bought the whole Resort for \$1,100,000. Maybe we ought to get the same person who negotiated that deal to negotiate this one.

Comment: "Take it or leave it" is not a negotiation.

Glenn: The price is \$7,800 per acre. There is no negotiation. If the town doesn't want to buy it for \$7,800 per acre, then there's no sale. It's very simple. I had this conversation with the owners several times.

Question: Who represented the town in this process?

Glenn: I did. We have agreed on a non-binding Letter of Intent for 120 days and at that point hopefully, contingent upon a town vote, we would move to a purchase and sales agreement.

Hal Pyke: Speaking as a Lister, \$7,800 is the approximate appraisal value of raw land in West Windsor.

Question: At town meeting, it was stated by the Selectboard that there were not going to be any raises this year for town employees, with the exception of Cathy. How do you justify not giving raises to your wonderful town crew who may also be losing a portion of their health benefits and who I'm sure could use a good portion of that \$50,000?

Glenn: We feel as though we have one shot at this and these things never come at a good time. We would be remiss in not offering this opportunity to the voters at a cost, to the town, of \$150,000.

Comment: I think you should raise 100% of the money from private donations and grants. I have a real issue with not giving the employees a raise and at the same time being extravagant. If the opportunity is there and we can't afford it, we have to let it go.

Comment: Maybe we should ask the people who are interested in purchasing this land if they can come up with the price. Then it will still be on the Grand List and they'll still be paying taxes for it.

Question: To clarify the numbers, the town would contribute \$150,000, the UVLT would pay \$100,000; and there would have to be \$129,000 in private donations. What if any one of those things doesn't happen? When will you hear from UVLT, and how much has been raised so far in private donations?

Glenn: If we don't raise enough money, the deal is off. We were hoping to apply for a grant on March 4th but we didn't have enough information, so that won't happen until this summer. The private donations are between \$55,000 and \$60,000.

Question: You may not have all the money in place until fall or winter. Is the owner going to wait that long?

Glenn: We're hoping to have a town vote on this the second week in May and, at that point, we'd have an indication if the town is willing to contribute \$150,000, which is a big part of it.

Comment: Somebody might not buy the ski area with the MLF purchase up in the air and then it would be closed for another winter. The longer the ski area stays closed, the higher the chances that it will never open again.

Glenn: The owner is not going to let this drag on forever. At the end of the 120 days, if we don't have a positive town vote, the Letter of Intent expires and the deal is off.

Question: At the peak of the market, what was the price of open land?

Hal: A few years ago, the value of MLF would probably be closer to \$8,500 per acre.

Comment: If you divided the field into shares - that might stimulate people to get together and buy it.

Comment: Private donations amount to just under \$60,000. If we get close to our goal but we fall a little short, someone interested in buying the ski area might want to contribute to the town's purchase of MLF. Having an open conserved piece of land next to house lots would make those lots more valuable and easier to sell. There probably isn't someone else who wants to buy MLF right now, but tomorrow may be too late.

Comment: The Conservation Commission (CC) tried to get an easement on the lot adjacent to the Sheddsville Cemetery but that fell through and now it's gone. This is our one chance. It's now or never.

Question: What has been sold at the ski area?

Glenn: Most of the gray buildings were purchased by Orange Lakes. They're a wonderful organization and they're here to stay. The ski area - the lifts, trails, snowmaking equipment, and

maintenance building - is for sale. The undeveloped property around the base area is another parcel with Master Plan approval for 200 units. The remaining parcel is MLF and the acreage to the west.

Question: Is there a public price for all three lots?

Glenn: I don't have that information.

Comment: I think the people who can afford to contribute to this project should do it. There are a lot of people in this town who cannot afford to have their taxes raised.

Comment: I hope inquiring about an easement will be first on your list of things to do.

Glenn: Would this group be in favor of spending approximately \$1,500 to hire an appraiser to determine the value of an easement for public access and use?

Ted Siegler (CC Chair): I think it would be worthwhile.

Glenn: Early in this process, prior to the appraisal, the easement question came up and the owner's response was that, rather than selling the property for \$343,000, he would sell an easement for \$200,000 so that indicates the owner's mindset.

Comment: There are a lot of non-resident landowners who don't participate in town meeting because they can't vote. Is there a way to ask them to contribute to the fundraising effort?

Chris Nesbitt (4th of July Committee Co-chair): I serve on the 4th of July Committee and we have found that 70% of the gifts come from non-residents. I agree that we should make an effort to reach all the people who own property in this town, not just the people who live here.

Question: If we have a \$250,000 house how much does that \$50,000 per year cost us and how much does it cost to remove MLF from the tax rolls?

Glenn: If the vote is positive, taking MLF off the Grand List would cost each tax payer between 70 and 80 cents. The \$50,000 per year would have no noticeable impact on the tax rate because we would simply replace the \$50,000 that we have been paying for the fire truck with \$50,000 for MLF. Obviously, when we finish paying for the fire truck this year, if we don't purchase MLF, we have that \$50,000 to spend on something else or to reduce taxes.

Question: What if the resort doesn't sell and we don't get the money for their taxes, and adjacent property owners have their assessments reduced because their land values have gone down, will the remaining tax payers have to pick up that difference as well? It could be a lot more than 80 cents.

Glenn: You're right. We're historically frugal, but there's not a lot of fluff in the budget.

Question: Will it be a paper ballot at the special town meeting?

Glenn: It will be a paper ballot, but not an Australian ballot, you have to be present to vote.

Question: Will the vote be on a Tuesday morning at 10:00 AM?

Glenn: No, it will be in the evening. We'd like 1,000 people here.

Question: What about the people who can't vote?

Glenn: That's the way it is. We have between 100 and 200 people doing the business of the town on a yearly basis – not nearly the number of property owners or registered voters.

Other Business: The Selectboard agreed to schedule a meeting for Thursday at 9:00 AM to consider warning a special town meeting.

Adjourn – Glenn made a motion to adjourn at 8:35 PM. Bruce seconded the motion, which passed unanimously.

Respectfully submitted,

Martha Harrison