

**WEST WINDSOR DEVELOPMENT REVIEW BOARD**  
**Draft Minutes**  
**December 7, 2015**

Members Present: Shannon Harrington, Barbara Truex, Genevieve Lemire, Jane Hoisington, Dick Beatty, Courtney McKaig

Others Present: Glenn Seward, Shelley Seward, Ted Siegler, Win Johnson, Jim Lyall, Preston Bristow

1. Call to Order – DRB chair Shannon Harrington called the meeting to order at 6:32 pm.
2. Changes or Additions to Agenda – none
3. Public Comment – none
4. Consider request from MFW Associates, LLC for confirmation that the conveyance of certain permanent trail easements on Mile Long Field, Field Lot A, and Parcel A would satisfy the “demonstrable contribution to the recreational development of the area” requirement of section 2.3-5 of the West Windsor Zoning Regulations.

The DRB determined at its meeting of November 19, 2015 that this question could answered at a public meeting with an agenda posted at least 48 hours prior to the meeting rather than at a public hearing with a hearing notice posted, published and mailed to abutters at least 15 days prior to the hearing.

Although the agenda for this meeting was posted on December 4, 2015 the final trail map entitled “Trail Easements Conveyed to Town from MFW” and final permanent easement forms entitled “Grant of Trail Easement and Related Rights” were not received until two and a half hours before the start of the meeting.

Shannon Harrington recused herself from this agenda item because Shelley and Glenn Seward are her sister and brother-in-law. Genevieve Lemire presided over this agenda item as acting chair. Dick Beatty disclosed that as chair of the Selectboard he will be accepting the trail easements on behalf of the Town but did not recuse himself, although he offered to do so if anyone present so desired. No other conflicts were disclosed, and all persons intending to speak were sworn in.

Preston Bristow explained that by making this determination, the DRB would be confirming that applications for development of Mile Long Field, Field Lot A, and Parcel A, with the conveyance of these trail easements, would be reviewed under section 2.3-5 (the Recreation/Conservation PUD District with a minimum lot size of 5 acres) rather than under section 2.3-7(the Conservation District with a minimum lot size of 30 acres).

Preston Bristow explained that MFW Associates currently intends to execute two trail easements to the Town of West Windsor. The first easement will be for trails crossing the lands of Mile Long Field that will be conveyed to Glenn and Shelley Seward, and that easement will be recorded and become effective with the sale to the Swards. The second easement will be for trails crossing Field Lot A and Parcel A, and that easement will be signed at the time of the sale of the ski area land to the Trust for Public Lands but will be

held in escrow by MFW's counsel and released to the Town at such time as MFW receives all necessary state and local permits needed to develop Field Lot A and Parcel A.

Finally, Preston Bristow explained that he had received an email from Dan Purjes today stating that Glenn and Shelley Seward are authorized to speak and act on behalf of MFW Associates regarding the trail easements. Glenn and Shelley Seward stated that they were comfortable only speaking on behalf of the trail easements to be conveyed on Mile Long Field which they will be purchasing.

Jim Lyall of STAB (Sports Trails of Ascutney Basin) and MAO (Mt. Ascutney Outdoors) stated that he was satisfied with the final trail locations as shown on the map submitted by MFW. Glenn and Shelley Seward stated that they would also provide a trail license for an important trail link at the top (south) end of Mile Long Field.

Selectman Ted Siegler stated that the trail easement as submitted by MFW was very near to the final easement that the Town was prepared to accept. The only remaining sticking point involved the Indemnification clause (item #13) of the trail easement.

Dick Beatty observed that there was some risk that the trail easements held in escrow, although permanent easements, might never be released and recorded and therefore made effective. He felt that risk was small.

Win Johnson expressed concern with the trail on Mile Long Field that runs near his property but felt his concern could be worked out with Glenn and Shelley Seward.

Glenn and Shelley Seward stated that although MFW did not want to include horseback riding as a right within the trail easement to be conveyed to the Town, they intend to allow horseback riding on trails on Mile Long Field.

**The following motion was made by Barbara Truex, seconded by Jane Hoisington, and unanimously adopted:** It is the DRB's determination that the "demonstrable contribution to the recreational development of the area" requirement of section 2.3-5 of the West Windsor Zoning Regulations will be met if the trails depicted on a map entitled "Trail Easements Conveyed to Town from MFW," as presented, are protected by the conveyance of permanent easements entitled "Grant of Trail Easement and Related Rights," as presented, or by a materially similar permanent easement as approved by the West Windsor Select Board.

5. Review and approve minor changes to subdivision plan for Town of West Windsor and Mt. Ascutney Resort Area as approved on September 9, 2015 (Permit #2593).

Surveyor Robert Farnsworth has requested several minor changes to the subdivision plan for permit #2593. A final plat was recorded as Map #513 on October 9, 2015, and section 2.7 of the subdivision regulations requires revisions to a final plat to be approved by the DRB. The DRB determined that of the various plan changes requested, only three directly affected the conditions of the DRB's subdivision (final plat) approval and **approved those three minor changes as follows:**

- Change the distance along Mountainside Condominium's west line.
- Change the total acres for Parcel #1 from 460.9 acres to 460.22 acres.
- Change the nature of the hatch marks on Parcel #1.

The determination of the DRB was that other minor changes to the map that do not directly affect the conditions of the DRB's subdivision (final plat) approval do not require approval of the entire DRB.

6. Approve Minutes – the minutes of November 19, 2015 were approved.
7. Other Business – none
8. Adjourn – the meeting was adjourned at 7:45 pm.

Respectfully submitted,  
Preston Bristow, Zoning Administrator and DRB Clerk