

**Appleton Select Board
February 19, 2019**

1. Convene, 7 p.m. (Gushee, Fenner, Beckett, Costigan)
2. Reminder: Meetings are recorded.
3. Beckett: Motion to approve minutes of Feb. 12, 2019. Gushee: Second. Unanimous.

4. Town Forest Access Policy Draft:

Ronald Gibson: Who came up with the policy?

Fenner: Originally from Town of Richmond, Several similar from various towns. The original as been amended to read Appleton. The board has been working on it and taking public comment of various sorts.

Ronald Gibson: What is the reason for this (policy) being drafted?

Fenner: We have one town lot we harvested recently. It was closed during harvest to keep people from being injured. Now you have an entrance where there wasn't one before.

Gibson: Why (is there an entrance)? How much did it cost?

Fenner: Estimate was under \$2,700. Road commissioner asked for filter fabric to be added, which was reasonable a cost that was not in the estimate.

People think that a bid process doesn't have a cost. It does. You have to draw up specs, advertise and ad a newspaper advertisement it would be up to \$2,700.

Austin Stark: Why was every single resident not notified, why only the abutters?

Fenner: We have a notice of every meeting agenda on the town website and the town website has the agenda posted weekly.

Stark: If you are going to implicate rules to town forests why was t not sent to every resident?

Fenner: Policy-level decisions are made by the board. Some concerned citizens came and said you should notify all abutters and we did.

Gushee: We do notices to abutters for other things like building permits.

Stark: Wouldn't it be regulated to all town tax-paying people? Shouldn't they know the policies of the town property? Would it be my job to police them on what they can and can't do on town property.

Fenner: We met legal notice policies. Our plan is to post a sign that this is your town forest, in a box with a glass front, and there would ne a policy and map of the lot. The policy only applies to the town forest.

Stark: So you're segregating the land from ATVs?

Gushee: Pretty much.

Fenner: ATVs on snowmobile trails are not allowed by state law.

Gibson: The town is apparently spending money. Is there a return value?

Fenner: It's a permanent improvement to the woodlot?

Gibson: We're spending money for parking lots and signs, what are the taxpayers of Appleton gaining by inviting people to our land?

Fenner: The initial thought is to inform the people of Appleton.

Gibson: Wrong to invest money without return.

Bob Bailey: I'm an abutter to a town lot. Years ago lots taken for foreclosure and selectmen used a lot of discretion and there was no consistent policy on what to do with what we had. The decisions were made haphazardly but with the best of intentions and some lots were actually sold. Townspeople wanted to know who was making decisions. At one meeting I proposed we should look at all town forest land and the forester should make an assessment. The townspeople should have a voice. Whether you agree with parts or pieces this is an attempt to come up with a consistent policy. Some said save it some said sell. All these discussions have taken place for 40 years and I commend you for coming up with a consistent policy. I think we are better off to have a consistent policy.

Donald Burke: Like to make a couple of factual corrections to Bob. I am aware of no town-owned forest ever having been sold. They were originally established by Malcolm Stark. Licensed forests plans were completed about 10 years ago. Have you looked into the liability issue of encouraging people to use town land? But if you are inviting people onto your property, you may have some liability if you put up some signs encouraging people to come hike.

Fenner: We have not checked it specifically. Plan to post "Use at your own risk."

Gushee: Do you remember when we got these lots?

Gary Roberts: The town must have its own liability policy so we should be covered by liability.

Fenner: The forest management plans were done in 2001 and a year ago we had a professional foresters come in and update all the plans for all the lots and we took it to town meeting and took to town meeting to harvest on Midcoast, Collins and Pert lots to follow plans.

Sid Quarrier: There is a long history of town forests in New England and they have served towns in many different ways. Lumber yards,

recreation, agriculture, ecological reserves are among uses. There is not just one thing the town should be doing -- they are different from one to the other. There are different access issues. A one-solution to it all (is hard). We might be well to treat them individually.

I know from being on the town comprehensive plan committee about 10 years ago one thing residents do not like is not a lot of unnecessary rules and regulations.

When you get down to specific things it may well be that a greater part of the community should be involved.

The parcels are different from one another. There are access issues that should be addressed before any public notification takes place. There should be a bullet point that asks people to be respectful of private property abutting town forests.

Fenner: Collamore Lot discussion to sell and the town rejected that at town meeting and the foresters have recommended in 2001 and 2017 that it (Collamore) needs to be harvested, but it won't be....we are going to follow the same procedures but if we think we want to harvest we will bring it to town meeting and they will vote yes or no and that will be that.

Nancy Sferra, Nature Conservancy: As long as you are not charging for access to that piece you are covered by town liability.

Lorie Costigan: Forestry reports are available on the town website and are very detailed.

Gary Roberts: The Town Comp Plan noted we should be looking at purchasing more land for space for recreation of all types.

Austin Stark: Why should the town of Appleton be involved in real estate. The Lamont Lot is planted with Norway pines but if we are going to have rules and regulations than why should we even have that property? Why shouldn't we sell it?

Fenner: The board made one attempt to sell one town forest last year and it was thoroughly defeated at town meeting.

Stark: Are we going to buy more per the comprehensive plan?

Fenner: That would be decided by a vote at town meeting.

David Patten: Is there a restriction for firearms.

Fenner: Whatever state law that applies to firearms would apply. The discussion you were here for a few weeks ago, that regulation applies to a state park or a historic site only.

Donny Kennedy: Collins and Pert Lots near Lower Roads. How do people access it?

Fenner: It has been approved at town meeting to do a harvest. It is a very small part and the access is off the Lower Road with an entrance and a landing already in place. The town does not have an entrance expenses at that lot.

Bailey: There is a lot of opportunity for trails from previous logging prior to the 1970s.

Dave McMillian: The town overwhelmingly voted not to sell the lot at town meeting. This seems like a big decision to turn the forest into parks and put up signs. There are people who are worried or concerned there seems like there ought to be a vote at an actual town meeting.

Fenner: We have no plan to do further development. This is a policy decision and policies are developed by elected officials and I would point out they are not cast in stone. They can be amended. They (residents) can request that we can take it to town meeting or there is a petition process. I don't think it needs to go there. It is a policy. It can be amended.

Gibson: I just think it should be brought to a town meeting.

Roberts: All of us have access to that property now and there are no regulations now. The town has some right to put up some guidelines. It is a simple one. Everybody in the town has a right to go to that property and I am one of those who has believed that it needs simple guidelines for the community that say if you are going to go there this is how you would behave.

Fenner: If you are going to post rules. If you have a sign you need to have a policy that says what those rules are in case, if it comes to it, it can be enforced.

Quarrier: I made a two-part motion in June: There was a seemingly unresolved access issue that the board should work on and that it has ecological value and I ask that it be returned for further discussion to the community. In the wording of the motion it got change to yes or no. Returned to the board so we had a greater amount of discussion.

Sue Ellen Roberts: Go back farther to town forest issue and I was unaware we had town forests until last year I came to the town office and saw we have forests. So I was pleasantly surprised. These are assets that we have here that can be used for the people of the town of Appleton to walk, snowshoe, ride a horse, ski. We aren't going to get anymore of this. We are on a cusp of change. Multigenerational families are losing their grip on the land and people who only view the land as a real estate are coming. If we have assets of green space I think we

should hang on to them, especially if they abut any body of water. I am not happy with this policy. Make specific to the parcel.

We need to realize these forests belong to all of us and we need to compromise on that framework to make it a win-win for everyone.

This (draft) is a model but it is not a done deal. More research.

I think it is only a responsible thing that we develop adequate parameters for use.

McMillan: Do you have an idea of the tax revenue on 300 acres?

Fenner: We don't have that number because what we heard from a majority of people they do not want to sell it. We do have two lots that we put forward at town meeting to sell to get them on a tax map.

Gary Roberts: I've been a volunteer naturalist and I am a Maine Guide and I have taken people all over the state. Most communities that have green space do not find them as detriments. Don't think so much of what you can get out of it by selling it but what it is going to do you to sell it. If you take the space away you, like on the coast, you have people who can't access it and it is gone. We have to protect the plan we have in the town.

Fenner: Part of public access is the word public and primarily the people who are going to make use are going to be people who live right in town. I don't believe there is going to be some large influx of people. There are far better hiking opportunities that already exist. These aren't that.

Jenna Sears: Where did we come to the decisions of what is allowed and what is not allowed? What is the downside of things like biking. If we do have public access points. We just moved here. It is a good incentive to get people here. Would it be beneficial to us as a town to publicize?

Fenner: That is a question. Do we want to make it known and how do we want to make it known. Some of that was in the original policy we started with and there was a general consensus [of the board] of no wheels and no motorized vehicles. The existing skid trails have at least three water crossings, which we took great pains to do correctly and a few trips with an atv or bikes could rut those waterways. If you look at the photos you will see the skid trails as they currently are not bicycle friendly.

Stark: What makes you think they are ankle friendly?

Andy Staples: Has anything been generated on the profit and loss of the lot that was just logged.

Fenner: We grossed around \$6200 and the net at the moment is around \$3,000. (Entrance, professional foresters, advertising)

That is a point, by keeping them as a working forest and harvesting with sound forestry principles you get some money and it helps the health of the forest.

Nancy Sferra, Director of Stewardship for the Nature Conservancy: We manage 300,000 acres and own 1400 acres in the Appleton Bog. We abut the town forest on W. Appleton Road.

All I wanted to do was come here and introduce ourselves and shows our boundary line and the ecological features of the bog. The land has one of the largest stand of Atlantic White Cedar in the state and Northern White Cedar and Atlantic White Cedar side by side. There is a snowmobile trail across Newbert Pond and Guinea Ridge Road is a rough hike to get into the trailhead because it's an old unmaintained town road. We have frontage on Collinstown Road. Do you have a map that shows all the town lands.

Beckett: Yes. On the town website, under forests

Sferra: The logging looked really good on the town lot. We have an ecological preserve but we haven't done any cutting. There may be some point when we might do some winter harvest.

Gushee: Did you purchase all the land?

Sferra: No, some was donated.

Fenner: The town is doing stuff only on town land.

Sferra: Because we allow for public access and encourage wildlife we prefer people not bring their dogs. We just say no dogs. I am a fan of the dog but people can't follow the rules.

Gary Roberts: I've taken groups from 10-15 there for years, with permission. The cedars are cathedral-like. If you are interested in seeing something that is phenomenal. Thank you for preserving it.

Sferra: I'd be more than happy to organize a walk out there.

Staples: Can I walk by dog in there off leash.

Sferra: No. It is a wildlife preserve and people who bring dogs in off leash and there is evidence that the smell alone disturbs wildlife. We have decided no dogs on most preserves. Most has to do with that even when we have a leash lot I've seen a dog completely disturb and decimate a wood thrush nest.

I think the town deserves credit for starting discussion because I have over 30 years of nature preserves under my belt and when you open it

up I think it's good to start the discussion. Those properties are assets. These aren't easy discussions but they are important.

Fenner: We don't see our town forest as a nature preserve. It is a working forest. None of that policy is done yet.

Sferra; I think it's good for people to see what a working forest looks like. Our properties are open to hunting and not open to trapping. If there is a beaver issue and flooding we may work with a trapper but it is a case-by-case basis.

Dan Grenier (Nature Conservancy): We are happy to come up and meet on site and any time or have an organized hike.

5. Road Commissioner: Nothing.

6.Fenner: Motion to adjourn. Beckett: Second. Unanimous.