

WESTFIELD SELECTBOARD SPECIAL MEETING
Work Session for Class 4 Highway and Legal Trail Ordinance

Minutes

October 16th, 2025 – 5 p.m.

Westfield Town Office, 38 School Street

Meeting Recordings Available to View at <https://www.youtube.com/@TownofWestfieldVT>

Town Officials Present: Jacques Couture, Selectboard Chair; Richard Degre, Selectboard; Dennis Vincent, Selectboard; LaDonna Dunn, Town Clerk; Niki Dunn, Selectboard Clerk; Mike Piper, Constable (Partial Attendance); Will Young, Zoning Administrator (Partial Attendance)

Others Present: Lee Forbes; Jan Degre; Rosemary Croizet

- 1. Call Meeting to Order – Jacques Couture, Chair:** Jacques called the meeting to order at 5PM.
- 2. Public Comment – 5 Minutes:** None
- 3. Additions and/or Deletions to the Agenda:** None
- 4. Correspondence (If Any):** None
- 5. Work on Changes to the Class 4 Highway and Legal Trail Ordinance:** Jacques began by noting that he is glad the Selectboard has decided to take their time in creating this ordinance. He wants to consider all views, including people who already maintain the roads as well as the input from Jason Sevigny and David Wilcox. He feels that the roads need weight limits, which would force logging companies to reach out to the town prior to starting a logging operation on these roads.

Will Young noted that the Selectboard already has full control over Class 4 roads, so he questions if the ordinance should only be for legal trails. Jacques noted that they need to make sure they are not requiring people to maintain legal trails at the same level as Class 4 or Class 3 road. He also noted that people going to the Development Review Board (DRB) for a change of use already need to follow the procedures of the DRB. Will does not want to see the zoning laws become the rules of enforcement for these roads.

Lee Forbes questioned where the zoning bylaws regulate road maintenance. Jacques clarified that they don't unless someone is looking for a change of use.

Jacques felt there are quite a few regulations regarding work in the wetlands, etc. He feels that being aware of what is happening on the roads is a good way to make sure the rules already in place through the state are being followed. Richard also felt that weight limits would be good for the roads. Jacques questioned how many excess weight permits the town currently has. LaDonna noted that it's probably around 20, and it should be much more. Will questioned if the weight posting is implied for all roads coming off a previously posted road. That is a question that Jason Sevigny may be able to answer. Will questioned if using a different sign than the state uses for posting these roads would give more implication that the town needs to be notified prior to using the road.

Lee questioned where the Class 4 section of Corrow Basin Road ends. Will noted it becomes a legal trail 0.71 miles from Balance Roack Road. Lee spoke with multiple people on Corrow Basin Road, and they all questioned what the town gains by keeping the road a legal trail and what does the town lose if it becomes a private road. Jacques explained that there is a big process to change a legal trail to a private road and he felt that the VT Department of Forest, Parks and Recreation may not want the town to give up any legal trails. Lee felt that they would like to go through with this process. LaDonna noted that the deeds will all need to be changed as part of

that process and that the state is wary of towns giving up legal trails because they are public access trails.

Will felt that an ordinance would give the Selectboard more say in what happens on the legal trails. Mike Piper felt the town has the right to say what happens on legal trails without an ordinance. Will felt the ordinance would clearly define what authority the Selectboard has. Jacques questioned if the ordinance could state that the Selectboard has the same control over legal trails as they do over Class 4 roads. Dennis felt this was already covered in the orange book. LaDonna consulted the Orange Book and there are a couple pages discussing legal trails and Class 4 highways.

Rosemary Croizet felt that there is no guidance over someone doing work on a legal trail right now.

Will felt that having an ordinance that could be given to people who are looking to do work on these roads, especially when property changes hands, would be very helpful.

Rosemary questioned if a person was not requesting a change of use, would they be able to do whatever they wanted on the road right now. She questioned if another town possibly has an ordinance that discusses the logging component. Jacques noted that Jason Sevigny informed the board at a previous meeting that the board can require loggers to bring the road to higher standards than the AMP's that they use.

Lee questioned what they can do on their road at this point in time. Jacques noted that they can continue doing what they've been doing on the road. Lee felt that if it was a private road they could keep the traffic off it, including loggers. Will questioned if the land that is going to be logged has access from Ballground Road. He questioned if their deed has language discussing access along Corrow Basin Road, which would allow them to bring logs out even if it was a private road. Lee noted that they could drive log trucks on it, but not a skidder, if it was a private road. Jacques explained that if all the property owners on the road did not approve of it becoming a private road then the process couldn't continue. Lee questioned if they could grade the road right now if they want to. Jacques explained that they have voted to repeal the ordinance, so they can continue doing what they have been doing. Will noted that even in the ordinance they can bring in gravel up to 24 yards of gravel per one tenth of a mile without coming to the Selectboard for approval anyway.

Lee is concerned that when the logging operation begins on Corrow Basin Road the loggers will ruin the road and not fix it correctly. He noted that there are only two homes on Corrow Basin Road that are not taxed as non-homestead, and they still also pay to upkeep the road. Lee noted that when an ordinance is put into place, they will need to follow it. Jacques explained that they are aware of that, and they will try to not make it onerous for people to follow.

Will explained that the ordinance will give the Selectboard a way to make sure people are maintaining and upgrading the roads correctly. Dennis feels that it's the fees and permits and inspections of the roads that make it difficult for people currently maintaining these roads. Will questioned if the permit section of the ordinance could include an "up to 5 years or 7 years" section. He could then approve a plan of what type of work will be done each year that will cover a duration of years. Dennis noted that most of the people upkeeping the roads just want to bring the road back to being accessible, not make the road better than it already is.

Mike questioned if the Selectboard should send a letter to Fountain Forestry letting them know they would be responsible for repairing any damage to the road. Jacques felt that there should be some document that they can give to the foresters to let them know how they need to repair the roads. Richard questioned getting some type of retaining fee in case they don't fix the roads. Will feels that the responsibility falls back on the landowner if the loggers don't fix the roads. Jacques felt a certificate of insurance with the Town of Westfield as an additional insured would work if

they don't return the road to the way it was before they began logging. Jacques felt working on this with the loggers should be done even before the ordinance is completed.

Richard felt that 24 yards of gravel is not enough for maintenance in certain scenarios.

Jacques would like to work with the ordinance as it is currently written and make changes to it.

Dennis felt the permit fee of \$150 is too high, especially for people just trying to maintain their road that is already in good condition. Will felt that would fall under maintenance and they wouldn't need a permit for that. He explained that the wording conforms with how the zoning bylaws are written and it was looked at by the town attorney. Jacques explained that if a top coating was being put on a road, they wouldn't need a permit.

Will explained that there is a subdivision upcoming on the legal trail portion of Ballground Road. They will need to go through a change of use for this process. Once the lots sell this may become an issue on that road. Jacques felt that in that example they would like to keep the permit fee.

Jacques felt that 5a should be worded differently. Maintenance vs new work. Will questioned what maintenance is and what is a change. If ditches don't already exist and they are put in, is that maintenance or a change. Will felt that leaving 5a the same and changing 5b, exemptions, would make more sense. Wording like cleaning out existing ditches could fall under exemptions.

Rosemary questioned if an exemption could have wording like 'majority of Selectboard approval' rather than waiting for a Selectboard meeting. Will noted in response to a weather event, the road can be brought back up to standards. Will noted that for zoning exemptions there is no need to come to a Selectboard meeting because the work is exempt. He thought the wording of coming to a Selectboard meeting for exemption approval could be removed.

LaDonna would like the wording for exemptions to be clearer and more user friendly. The exemptions should be near the beginning of the document. Dennis felt that the amount of gravel in the exemption section should be removed from the ordinance altogether. Rosemary felt the amount of gravel brought in could lead to runoff issues. Rosemary feels that having the number of what is exempt triggers the Selectboard to be aware of what may be going on. LaDonna felt that having a disclaimer that states that all of this is up to the Selectboards discretion would help. Jacques noted changing it to 28 yards, which would be two truckloads. He would also like to see the wording changed to material, instead of gravel.

Will would like something noting that a permit can be issued for a span of years for certain work. Jacques would like some type of ongoing follow-up with a permit that spans a number of years. Periodic follow-ups would not link them to a certain time frame, they can check on the work whenever they feel it's needed. This could go under number 7. If a permit spans more than a year, periodic inspections of highway improvements will be done. Under application requirements is where it can be noted that permits may span multiple years for ongoing projects.

Loggers' requirements should go in a separate section, possibly titled 'use of a Class 4 road or legal trail'. Will felt this could also be titled as a 'use' section. The condition the road is in when they start using it is what they need to bring it back to if any damage is done.

Will questioned what will be required of an applicant from the DRB if a subdivision request comes through where each lot has wastewater permits already and are set to be sold as home lots.

Will proposed when adding more material above 28 yards getting verbal approval. It could be worded as 28 yards to 56 yards per tenth of a mile. LaDonna questioned the verbal approval, unless an emergency it should be approved at a Selectboard meeting. This keeps the board accountable and keeps it on public record by having it in the Selectboard minutes. For emergency

events they should still notify the Town Clerks Office so that it can be noted at the next Selectboard meeting that the work has been done.

Jacques would like to have another meeting once the changes are made before beginning the process to adopt the ordinance. Once the changes have been made the document will be emailed to everyone involved with the work session.

6. Next Steps:

- a. **Ordinance Repeal becomes Effective on November 21st, 2025:**
- b. **Next Meeting Date:** November 12th at 5PM.

7. Other Business: None

8. Adjourn: Dennis motioned to adjourn at 6:59PM, Richard seconded. Motion passed.

Westfield Selectboard Approval Date: 11/12/25 with Ø change(s)

X Jacques Couture

Jacques Couture
Selectboard Chair

X Richard Degre

Richard Degre
Selectboard

X Dennis Vincent

Dennis Vincent
Selectboard