

**WESTFIELD SELECTBOARD MEETING
CLASS 4 HIGHWAY & LEGAL TRAIL ORDINANCE WORK SESSION**

Minutes

December 30th, 2025 – 5:00 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; Ellen Fox, Planning Commission/ Development Review Board; Will Young, Zoning Administrator

Others Present: Rosemary Croizet, Jan Degre, Bruce Johnson

- 1. Call Meeting to Order – Jacques Couture, Chair:** Jacques Couture called the meeting to order at 5:01PM.
- 2. Public Comment – 5 Minutes:** None
- 3. Additions and/or Deletions to the Agenda:** None
- 4. Work Session to Discuss Class 4 Highway & Legal Trail Ordinance:**

The group began by looking at the changes made to the ordinance since the last work session and reviewing input on the ordinance received from Dave Wilcox, Jared Nunery and Jason Sevigny.

Jacques noted that Jared Nunery had some concerns that this ordinance could restrict logging in the town and he would like to make sure it does not do that as it is a valuable industry.

Jason Sevigny noted that per state statute any road work needs permission or a permit from the municipality, even if it is loggers returning the road to the AMP standards. Will Young felt that putting this into the ordinance and specifically stating that it relates to Class 4 Highways and Legal Trails would be good as he is under the impression it does not apply to roads of a lesser classification than Class 4 otherwise.

Jason also noted that overweight permits are already required for Class 4 Highways. Will noted that the ordinance needs to be clear on treating Legal Trails and Class 4 Highways the same, which would make overweight permits required on Legal Trails as well.

Richard Degre felt that changing the name of the document to a change of use permit rather than an ordinance would be better, then it would only require people who get a change of use permit to follow the document. Will was leery about using the wording 'change of use' for any documents relating to road work, as changing the use or classification of a road is a completely different thing than changing the use of a piece of property and may be confusing.

It was noted that the VTrans Orange Book sets standards the Selectboard can use for the roads, they can make more restrictive standards if warranted or less restrictive. Jacques felt using the Orange Book as their minimum standards should be the baseline to work from. Ellen Fox felt the AMP's loggers use as standards would be better used on forestry roads where vehicular traffic is not a regular occurrence.

Bruce Johnson noted that sometimes to follow the AMP's the loggers will put the unusable brush from the trees they've cleared in the road to help with erosion, however this can make the road

impassable. He feels that having the wording of putting the road back into the condition the road was in prior to use is acceptable to him.

Bruce questioned if the development on Ballground Road gets to a point where they would like the town to change the road to Class 3, what would happen. Jacques explained that they would need to get the road up to Class 3 standards first, then ask the Selectboard to change the road classification. The Selectboard could deny or approve this request, they do not have to change the class of any road, even if it is correctly brought up to Class 3 standards.

LaDonna Dunn questioned what happens if a person who lives on the road doesn't want any work done on the road or does not want the road to be in better condition than it currently is. Will noted that the permit that will go along with any work done through the ordinance, other than work that falls under the exemptions section, will notify the landowners along the road and they can come to a meeting and voice their concerns, just as they can when zoning permits are issued.

Changing the wording on culverts to note that replacements need to be 18" minimum in size was agreed upon.

Clearing pre-existing ditches can be changed to say 'maintaining pre-existing ditches'.

Change wording in 6a from "should" to "shall". The intent for exemptions is just to notify the Selectboard that they are planning to do work, not necessarily to wait for approval.

Wording changed at the end of 6a to read 'standards for exemptions shall include:' and then 'if not followed the Selectboard reserves the right to require a permit if the criteria for exemptions are not met'.

For 6b change the wording from "original standards" to "original condition".

7aii should reference where the standards can be found, it was noted that this is possibly in the VTrans Orange Book.

In number 9 the wording should be changed from "standards" to "original condition".

Dave Wilcox submitted some suggestions, and one was to change 9a to imply usage by other heavy equipment, not just loggers, however equipment such as milk trucks are allowed to drive on roads even if they are posted, as they are exempt for agricultural use. LaDonna noted that most of these drivers are good about contacting Eric Kennison to make sure roads are able to be driven on when the conditions may be questionable.

For 9b it was agreed to update the wording to state that it is liability insurance that the Town is requiring to be listed on as an additional insured. LaDonna noted that if they file an excess weight permit with the town, they are already required to submit their insurance certificate along with the permit.

Bruce Johnson questioned having a bond taken out for work being done on the road. LaDonna noted that the Town Attorney discouraged the use of bonds. Jacques questioned who looks at a road after a logging operation has finished or who to notify if they did not leave the road up to the AMP standards. Bruce noted it would be Jared Nunery or someone from the VT Department of Forest, Parks and Recreation.

Ellen prefers the wording of 'leaving the road in the condition that is up to the satisfaction of the town', rather than 'original conditions'.

Changing the wording in number 9 to say 'all users' rather than 'all logging and forestry operations' was suggested.

In the definitions for Legal Trails, it was agreed to change 'responsibility' to 'authority' with the same change to be made in 4a.

It was noted that the Town could check with VLCT for wording on the insurance policy section.

The permit also needs to be worked on although it was agreed that waiting until the ordinance is finalized before starting on the permit would be best. Will noted that the permit should not be tied directly to the ordinance, as that way small changes to the permit can be done without going through a full ordinance update.

Changes will be made to the ordinance based on this discussion and sent to everyone in the work group. If all are okay with the changes then in February it can be put on the Selectboard meeting agenda for approval which will start the ordinance adoption process. Work can then begin on the permit.

5. **Executive Session (If Needed):** None needed.

6. **Other Business:** None

7. **Adjourn:** Dennis Vincent motioned to adjourn at 6:09PM, Richard Degre seconded. Motion passed.

Westfield Selectboard Approval Date: _____ **with** _____ **change(s).**

X

Jacques Couture
Selectboard Chair

X

Richard Degre
Selectboard

X

Dennis Vincent
Selectboard