

Town of Sutton
ATV/UTV Committee Meeting
March 6, 2019

Attendance: Clint Gray, Danielle Fortin, Jeannie Powers, Adam Carleton, Mark Hall, Paul Brouha, Garrett Keizer, Chery Garcia, Tom Featheringham, Jim Masure

Clint opened the meeting at 6 PM.

Agenda Modifications:

Complaint form discussion

Approval of Minutes:

February 23- Public Hearing- Paul made a motion to accept minutes. Mark seconded. Motion passed.

February 27- Tom mentioned that his words were misunderstood. He would like them changed to the following:

“Tom- Pent Road situation, there was a State Law that only the Select Board or abutter can maintain roads, Select Board gave permission for one time on TH 7. As far as making a trail, we should make sure we have town permission before cutting or clearing anything. (This needs to be addressed to the Town of Sutton Select Board for clarification)”

“Tom-comment: TH 7 along the Newark/ Westmore/Sutton town line was impassable. (Private road improved) When King George farm purchased the land abutting TH-7, they improved the road. The original impassable road traversed the Sutton/Newark/Westmore town line with portions in both towns. After the highway was improved, the map of the original road and the updated highway don't match. These improvements do not give the Town rights to open them for new uses.” Clint will check with the Select Board to see, since the town roads, including the Pent Roads, are still under the Select Board's authority.

Paul made a motion to accept minutes with these changes. Mark seconded. Motion passed.

Old Business:

In 2014 Sheffield Rd-TH #3- was put on a VASA map but it was never opened by Select Board. Select Board sent the town constable up to talk to users and also informed VASA that the road wasn't open. The ATV use of the Sheffield Road was terminated.

New Business:

Complaint Form- Clint's form was accepted but needs to add witnesses, damages, photos taken and videos. Clint will update.

Correspondence:

Chery Garcia e-mailed all committee members last week just before the meeting. Was added to our correspondence file to give to the Select Board.

Discussion:

Tom would like the committee to discuss the letter he wrote. He would like us to have more conversations with people like ecologists. Clint stated that we are taking his suggestions from his letter and will make appropriate recommendations to the Select Board.

Draft Ordinance:

Clint and Paul had combined their drafts and presented their proposed ordinance.

Discussion:

Jim- at the hearing, he wanted it known that he values his hunting. He feels that if we open up trails, we will scare off animals.

Mark would like having permission slips for landowners to give to riders to go through their property to get to trails. Law enforcement said that they will not enforce private land permits. Clint- there is special town authorization, like for log trucks, and maybe we can work out something similar.

Tom- can permit people and not authorize specific people. He would like Class 4 roads "thrown up" and leave decisions regarding them up to the landowner and abutters.

Jim- asked did you, as a new ATV owner, take into consideration how you were going to get to the trails when you purchased the machine? Clint- not a fair question. People buy them for many reasons.

Clint- we are only updating the current ordinance. Will be looking into the future later throughout this year.

Garrett- Anything in the ordinance about exhaust? Paul- the state has it in the law, 82 decibels at 50 feet. It is not in the ordinance but it is referenced.

Paul mentioned that a gentleman who knows about noise stated that if you have more than one ATV drive past you at a time with each machine @ 82 decibels, it is louder than 82 decibels.

Katie- why do instruction manuals for some ATV models say "12-year olds can be passengers and the child's feet have to touch the ground?" She is thinking about the protection of the child. Clint suggested that decision is up to the owner's discretion. The owner has the manual and most manuals say to read the manual before operating the ATV/UTV. He stated helmets and safety restraints had been put in the proposed ordinance.

Adam- he would have liked to have been able to use an ATV to help drag out a deer that he tracked for 12 hours this past season. Clint stated that if you were on state property, you couldn't do that. Clint further said the ATV/UTV season ends September 30th and deer season that Adam is talking about is November. Paul- if you are on private property, people may offer to help you.

Paul- March 29th at 7 PM is the town of Newark's presentation of ATV proposal.

Final Draft Ordinance-

Paul made motion to accept draft ordinance with the changes discussed to present to the board at their March 28th meeting. Mark seconded. Motion passed.

Map for Trails:

Future meetings. Talk with landowners about ideas for trails. We need to think about safety and consideration of abutting landowners. Think about a budget for maintenance and where to distribute the money we would get from fines (maybe more enforcement?). All received funds should go into an ATV account.

We as a committee have agreed to stay together for a year to be able to meet with landowners to come up with potential trails and see this through.

Next meeting will be March 27th at 6 PM.

Adjournment

Clint made a motion to adjourn. Mark seconded. Motion passed and meeting adjourned at 7:57 PM.

Minutes by
Danielle Fortin

DRAFT