

ATV/UTV Public Informational Meeting
September 7, 2019

Joe Solinsky calling the informational meeting to order at 2:35PM. Joe thanked the ATV/UTV committee members for doing all the research on this. Joe stated he would like to hear from Chair of the committee, Clint Gray. Clint turned the meeting over to Darlene Ahrens from the DRB Board for the Sutton Survey.

Darlene Ahrens stated this has nothing to do with the ATV/UTV proposal but thought it was a good idea to hand out the Sutton Survey since there were many residents here attending. She explained the last survey was done in 2012 and this survey is for the next town plan and wanted you to know that all opinions are heard for the town plan. She requested you please pick one up before you leave today and fill it out and get it back to her. Darlene said at the end of the survey there will be multiple drawings for a raffle being held so once you hand it back in, your name will be placed in the raffle. You can also fill it out on-line if you wish.

Clint thanked everyone for coming.....thought more would come but thank you for being here on such a nice day.

Clint Gray had the select board introduce themselves and then the ATV/UTV committee introduce themselves.

Joe Solinsky, Denis Royer, Select Board; Joe explained that Tim Simpson could not be here. Then the committee: Clint Gray, Chair; Mark Hall, Trail Coordinator; Jennie Powers; Adam Carleton; Paul Brouha, Shawn Waldron; Danielle Fortin, Secretary.

Clint stated the Select Board appointed this ATV/UTV committee in October of 2018, and they started working in January and worked from the 2007 ATV/UTV/Snowmobile ordinance. The committee recommended to the Select Board separating out the Snowmobile portion of the ordinance.

Title 23 governs automobile/trucks/ATV and vessels know machines. In the packet that was handed the whole Chapter 31 of Title 23 (ATV's) is printed out. As a result of the Select Board approving taking out the "Snowmobile" from the ATV/UTV ordinance the committee was able to upgrade the ATV/UTV ordinance covering trails that were already open from Wheelock Road to the powerline across the powerline up to Woods Hill to Gold Mine Road then onto Sheffield with a 2019 ATV/UTV Ordinance updating what is opened today.

The committee looked at other options to present to the Select Board for other areas of town to get to these trails that were already open and to the towns of Wheelock and Sheffield trails. Since the committee was reappointed in March 2019 for one more year, the committee looked at trying to open various routes from Route 5 to try to connect to the VASA trails in Wheelock and Sheffield and will present ideas to the Select Board for their approval. The committee

wanted to find out who owed ATV/UTV's and to work with the private property owners to see what trails could be opened.

Today is just an information meeting to let the public know what was recommended and to get the public input.

Only the Select Board have the authority to open the trails or to close the trails. If they feel once the trails have been opened and there are problems, they can close them down immediately. This is up the Select Board and not the committee.

The current ordinance is what the committee is building on. There is also a current ordinance in the packet that was handed out along with a map. Clint stressed the importance of safety is the utmost importance of this committee and the Select Board.

Paul read sections of the Current ATV/UTV Ordinance: "Town of Sutton Ordinance Regulating All-Terrain Vehicles (ATV's): (refer to the handout) "Section 2. Purpose"; "Section 4. Operation: A.; C.; E. F." "In addition, the following Town Highways shall be open to ATV traffic: 1. Wheelock Rd (TH#38) from Wheelock town line eastward to the VELCO powerline trail, then along the trail to Wood Hill Rd. (TH #37), and then west along Wood Hill Rd. to and onto Goldmine Rd. to the Sheffield town line."

Paul continued to read: "Section 5. Speed Limits and Traffic Control Devices; Section 6. Time and Season of Operation; Section 7. Single File; Racing; Section 8. Penalties"

He then went on to "Section 9. Enforcement; Section 13, Annual Review"

The committee explored the other ordinances in other communities surrounding Sutton. The committee checked with Vermont League and Cities and Towns to see if they had governing ATV's. Taking all this into consideration, Paul and Clint come up the ordinance to submit to the Select Board.

Paul asked that you check the map out in your handout for review of the roads/legal trails the committee is considering adding to the current ordinance.

Someone brought up Safety regulations and want to know if the fines are the same as automobiles. The fines for ATV/UTV are an average of what the other towns penalties are set. The committee and the Select board that these fines were reasonable. Deputy Deos informed the audience about how fines are set, and variables are considered for vehicles and the same discretion is used for ATV's. The first offences are a bit higher than other towns, but reasonable. Deputy Deos stated that motor vehicles are an entirely different class of vehicle then ATV/UTV's. For a motor vehicle violation on Center Street, the speed limit is 25 MPH., the officer that pulls you over will consider variables such as how you act; if the speed is excessive; are you endangering others, road conditions. The set standard fines for a motor vehicle is going 13 miles over the speed limit the range is from \$137.00 to \$160.00.

Sharon Nichols stated NH F & G wardens do not like snowmobiles and said she can only speak to snowmobiles recreation since she doesn't have an ATV/UTV but wants to know the attitude of the Vermont F & W wardens toward them. She also wants to know who pays for enforcement.

Danny Hale, Executive Director of VASA, said that he just had a meeting with the Vt F & W Colonel, and the Commissioner and they agree with an MOU and have no problem monitoring ATV's; F & W stated this is not a burden to them and are excited about the program.

The Sheriff's department also gets paid to do this enforcement. A statewide meeting was held, and this was viewed as a good thing.

Danny also stated that VASA has a contract with the Sheriff's Department to also patrol the trails. VASA have a great working relationship with all the law enforcement agencies.

Danny Hale, Executive Director of VASA explain the VASA trails; funding for enforcement to the Vermont F & W is with an MOU with complaints in real time. The sheriff is under a contract and would need to be called for complaints. VASA don't cover a corridor unless the town requires a VASA decal to ride on the trails.

VASA does not pay for enforcement or maintenance on trails where VASA decals are not part of a Town requirement in the Town Ordinance.

Deputy Deos stated the Sheriff Dept are already doing this enforcement in the NEK and it is positive.

Question: How often are the enforcement going to patrol the trails. Complaint forms are available at the town clerk's office and on-line. The Sutton residents are going to monitor just as they do with snowmobiles or dirt bikes, but the ATV/UTV Committee came up with a complaint form to be filled out.

Glen Stine questioned Agriculture use and ATV/UTV has to travel 3 feet off the travel portion of the road. Clint stated that is the law. Glen made a statement at the Select Board meeting that he purchased a trail camera so he could monitor ATV/UTV use near his residence but has not had to use it since there has not been an issue. But stressed he still has it and will put it up if needed.

Questions about distinction of town roads and trails and private property. The Select Board has the authority over town roads and legal trails, the private property is under the authority of the private property owner.

Chip Devenger Question: When you were creating the age limit, did you invite any 12 to 16 years old to the meeting to get their opinions. If you want the youngsters to be involved, you

have to include them to be part of the solution. The committee thought this was a good idea and will be addressing it in this school year.

In Vermont any child between the 12 and 18 has to have a safety certificate in order to ride ATV/UTV and VASA offers the course. By statute they must take the safety course. This is same as kids taking the snowmobile course, they must also have a safety course.

Denis Royer said if they do open up private property, their trails will not be on the VASA map. The Select Board wants to make sure that it is known that trails are open only to get to the VASA trails.

Any legal trail, the Select Board has control to open or close, that may be part of VASA to connect trails, but it still does not have to be on the map, but the select board could ask VASA to put it on the map.

Signage: VASA coming off the corridor trails, no gas or food at certain areas of this town. Signs will be put up for ATV/UTV's open roads or signs stating no ATV/UTV's where the road is not open. VASA is excited to have the VASA decal in the ordinance for getting funding. Enforcement and maintenance are VASA goals.

The complaint form is part of the packet.

Sharon Nichols, question and comment. Not a strong objection to ATV but said they do not belong on paved roads. Calendar Brook Road/ Sutton Station Road are not safe for ATV's. People possibly can't see them if they come out of their driveways. She feels they should not be on paved roads. Clint said, this is a recreational means such as horses and bicycles and they also could be in danger. Jim Nichols said that horses have the right of way. Clint said that snowmobiles also do not belong on paved roads, but they ride them as their means of recreational vehicles and access to the VAST trail system.

Clint asked how many people would let ATV/UTV's ride on their property? No one raised their hands.

Tom Featheringham said he can let individuals on private property, but he does not want the public. Clint said that was his prerogative.

Tom Featheringham said the town should take all the class 4 roads, give them up and give them to the abutting property owners and they would control them. He made this suggestion to the committee. Joe said that won't happen.

Garret: This is a follow up to Denis distinction opening roads to give access to the VASA trail system and expanding the corridor. He first wants to say, these people on this committee have done an incredible job and the town owes them appreciation and thanks. Garret would like to

know the difference between a trail, corridor and a road that is open to bring to a trail system to the town. He would like the language clarified.

Danny Hale: Trail and roads are being used as trail that VASA is interested in. The edge of the VASA trail system from this point goes west to Bakersfield. Definition of trail is a trail on the VASA trail map.

In the Ordinance the roads except for the private property will be considered "Access trails". VASA trails won't be on the VASA map unless the town Select Board gives permission, but this is entirely up to the Sutton Community.

Denis Royer stated as much as fight it has been for the committee for this to go through, the Select Board can shut it down immediately if this becomes a problem. When the Select Board give the okay it takes 60 days for the ordinance to become effective, but if there is a problem, they can shut it down without public comment or any hearing, they can immediately shut it down.

Garret: recommendation: VASA trails on VASA map would be the definition of a trail. And that would be the only definition.

Through private property, call that corridor or come up with another name. This needs to be clarified.

What you say is really true and legally the Select Board can open or close them. This would need enforcement. Without enforcement there will be a halo effect, this is the only road that is open. What's to say an ATV goes by a road that is not open and decides to take that road. The committee said, this is where the complaint form would be received handled by the appropriate law enforcement agency or committee or Select Board.

Garrett said in fairness the ones that are riding on his road and his road is not open to ATV's, but they are driving safely.

A statement was made about instead of waiting, take a vote right now for moral reasons and make the decision.

Jim Masure has his own idea and is a personal reason because of quiet stuff. Lately in Colbrook, and other places there have been articles in the paper. "What is wrong with the way it is right now?"

Mark Hall explained the recommendations. He referred to your handout. Starting at the Burke line, George Wagner, Jr. has offered to work with us on his property along with possibly Ryan Simpson.

Sharon said why not trailer your ATV's to a trail and not open roads.

A resident questioned on Chapman Road, you want us to trailer our ATV's and drive two miles to get to the trail that is opened? People are not thrilled loading and then unloading to get to a trail.

The committee wanted to stay out of the village. Brain Fournier and Melody Stevens said we could use their property to get to Underpass Road from the Sutton Station Road, but we came into a snag when the Select Board found out that when they tried to get a 99 year lease signed by the new Kingdom East, they were not able to sign a lease for other than 1 year or possible 2 years at the most. Then there was the issue: Does the town own the school property? The town wants to use that land as a recreational trail including ATV/UTV/ horses, snowshoes/horses/snowmobiles to get this trail to the Sheffield Road. There was also an issue of utilizing land that belonged to formally known as the Deos property as noted on map as school property and not the town. More work needs to be done on this. The committee was going to approach Ryan to see if there could be a 15-foot trails to be used on his property so the trail could stay away from the Sutton water system and extend along the Woodline to be able to access the former Deos property owned by the town.

At Sheffield and Wheelock Road it will be posted with signs with arrows. "No ATV's' or "ATV's right or left".

Someone defaced a sign already on King George Road at the Sheffield/Sutton town line. It was noted there is a fine for this and is addressed in the ordinance.

We had a grant from NVDA in 2010 and Clint found documentation 2015, so Clint spent several days and hours doing a speed ordinance with Danielle.

The speed ordinance is on file with the Town Clerk.

At least 4 years ago we started working with a grant for signage. Clint just found out yesterday that the sign package won't be available and erected until next year. The committee has been hampered by this because they were depending on the signage. The roads are not posted legally at the moment which denotes the speed for vehicles at a lower speed then the 50 MPH unless otherwise posted.

Clint received an e-mail to the committee from Darlene Ahrens stating she was against ATV/UTV usage, but she did come up with recommendations and put a lot of thought into their recommendations. Clint stated he was very impressed by their effort and very well thought out recommendation which were very reasonable and could be implemented.

Glen Stein said you knew when you bought your ATV/UTV that there were no trails open.

Carol Brouha attended most of the committee meetings said she respected the committee, but Carol feels there is not enough enforcement to make this work. She worries for the safety of

the community. She was driving on Berry Hill Road in Sheffield and she had an ATV come out in front of her. It was very close to being an accident.

Tom the ingress, what is to say at church suppers, even this meeting, we won't have a parking lot full of ATV's and they are not intending to leave this town. He has been to almost all the meeting and nothing has been addressed about environmental and health issues. The state has rescinded the use of ATV's on state property because of this. He said the wildlife was not even considered even though he urged this. Clint asked the public to read the goals of the committee.

Danny Hale said that he has been doing this for 19 years and Tom is giving incorrect information. Danny has been working with the state on the environmental issues and wildlife.

Questions, has there been any accidents? Clint said he only knows of 1 in Sutton.

Jim Masure said he was driving today, and 4 ATV's came up behind him and none were wearing helmets. It was brought the attending that in the handout, there are fines for not wearing helmets.

Garret Keizer: one observation that has very little to do with ATV's he wants peace and quiet and wants to be left alone. When the petition went through, Garrett voted against it. But it has become clear a political reality we need to face he doesn't want any vehicle disrupting his life, but he doesn't want to keep going to meetings. We should find a workable solution to make as many people as possible work together and not against each other. Right now, there is a process in place that people should respect the committee for doing this is a thorough way. The vote that was taken that day only lost by a few, but you drive by driveways and see the number of ATV/UTV in their yards, this just may be the way of the future. He would like to see something put forward that is positive. He feels he wants to be safe, and we need to find a way.

Jean Solinsky; She goes to Barton a lot and all their roads are open to ATV's. She has not seen anyone driving an ATV speeding and she said they all wear helmets. When you don't let them ride on the roads, that is when they will abuse the towns roads. Jean wants the town to be fair to everyone and ATV's are becoming more popular.

Mary Gray said, that she doesn't have feeling one way of the other, but said, before this committee was formed, ATV's used to come screaming by her house, now they just go slow and wave. She feels that why they were going to fast was because they couldn't be on the road and didn't want to get caught. As far as snowmobile, they are not allowed on the roads either, but our dog was killed by a snowmobile right at my house, so if someone should be against snowmobiles, it should be me, but I am not. This is a recreational vehicle of their choice and ATV's are also a recreational vehicle of choice.

Darlene Ahrens stated she voted against it and she personally feels to not open the road but has listened and has concluded what she wants is peace and quiet and what others want is to enjoy their rides, there is no right or wrong. She has changed her attitude about this, and this meeting was very enlightening. This should have been more publicized so others could have learned more like I have.

Darlene went on to say, there is so much division in the country, Let's give it a try, if it works great, if not, then the Select Board can take corrective action.

Deputy Deos said, if you want more enforcement in town, just ask for more time and hit the issues such as ATV flying by with helmet or no helmet. Law Enforcement Agencies will stop them and give tickets, and all ticket money written under the ordinance goes back to the town.

Barton doesn't have an issue. Go to those town and talk to those people. There is nothing in Sutton no gas station or grocery store. This gives the opportunity to get to the trails or get to another town where there is gas and food.

The committee just makes recommendations to the Select Board and they can accept it, modify it or not accept any of it.

The safety part needs to have posted speed limit signs.

Clint thank everyone for their input.

This is the second informational meeting that has been held. Remember there is a review each year. Bring your concerns, trouble areas and use the forms, you can also bring positive comments too. You may find out that this is working.

Joe stated he appreciated the public input and reminded everyone there, we are not going to decide on this until probably January. With the trails being opened on May 15, the 60 days fall into line before the ordinance become effective.

Joe adjourned the meeting at 4:35PM

Submitted by
Mary Gray
Clerk

ATV/UTV Public International Meeting 9/7/2019

Judy Masure
Jim Masure
Herb Digoia
Suzi Nicol
Sharon Nicol
Dawn "Bidget" Doty
Paul J. Doty
Maurice A. Guertin
Elen Sattis

Judy Masure
Jim Masure
Herb Digoia
Jim Nicol
Sharon Nicol
Dawn "Bidget" Doty
Paul J. Doty
MAURICE A. GUERTIN
ELEN SATTIS

Tom Featheringham
Laura Ray
DANNY HOLE
Carol Brouha

Carol Brouha

Paul Brouha
Robert McClure
Dennis Reyer
Gwen Kidney
Cheryl Garcia

PAUL BROUHA
Robert McClure
Dennis Reyer
GWEN KIDNEY
Cheryl Garcia

Lydia Mello
Jeannie Powers
Adam Carleton
Mark Hall
Andre Deos

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Mark Hall
Andre Deos

Deulene Ahrens
Tyller Deos
Carol Kemp
Chip Deverger

Tyller Deos
Chip Deverger
Danielle Farth
Dianna Simpson

Quanna Simpson

Joe Solinsky

~~Denis Foye #~~

Clint Gray

Marey Gray

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