

Town of Corinth Selectboard
PO Box 461
Corinth, VT 05039

Unapproved Minutes of the Special Public Hearing on discontinuance
request for Town Trail 13; Garden Hill
Friday August 4, 2023

Attending for the board: Nick Kramer, chair. Anne Rosten, Selectboard clerk.

Others attending: Steven DeVoto, landowner; Ryan Downey, Surveyor for the Gill family; Mark Gill, landowner; and Frank Easton, landowner.

The meeting took place onsite at Town Trail 13; Garden Hill Trail. Chair Kramer called the hearing to order at 7:15 PM.

Public Testimony

Surveyor Ryan Downey brought a map of the trail and abutting properties and explained that originally both sides of the town trail had been owned by a single landowner, who split the parcel in two, selling one half to the Gills and one half to Stephen Devoto. According to Downey, discontinuance of the town trail was contemplated at the time of sale, and the seller included in the deed the direction that should the town trail be discontinued, the entirety of its area should fall within the property sold to the Gills. Kramer requested Downey share a copy of the deed, and Downey said he will follow up. Currently the Gills own along the east side of the trail, the Osahowskis and Stephen Devoto own along the west side. The current trail terminates in Frank Easton's property to the north.

Downey explained the reasons why the Gill family has asked for the discontinuance of Town Trail 13. The trail is only open to foot traffic, but since it terminates after just three quarters of a mile, Downey expressed the doubt that it offers much recreational value. It is used primarily for access to the Gill property entrance. Steven DeVoto did use the trail to access and skid out some logs from his property on the west side and repaired any damage to the access caused by the activity. Downey further stated that both the Gill's property and Easton's have seen multiple break-ins and thefts as well as vandalism to the trail entrance gate. In several cases, vehicles parked in front of the gate have impeded the Gills egress in case of medical emergencies. Downey further expressed a concern about the safety of the trail in hunting season as the property is hunted widely by the Gill family and guests.

The board received a notice from the Planning Commission declaring their opposition to discontinue Town Trail 13, on the grounds that access to public recreation was a goal supported by the town plan. David Ozahowski submitted written feedback in support of the proposed discontinuance.

Stephen Devoto submitted written feedback in opposition of the proposed discontinuance.

Kramer explained that he could not make a decision without a quorum which would be at least one other board member, and that he felt it was important to give all board members a chance to review the survey map and deed to be provided by Downey before having a discussion and making a final decision. He clarified that since Town Trail 13 is not an "unidentified corridor" but instead meets the definition of "highway" per 19 V.S.A. 1(12), per 19 V.S.A. 708(a) a petition from a single landowner for discontinuance was not sufficient to necessitate public review, but instead, following the initial request from Mr. Downey and Andrew Gill at the selectboard's

June meeting, these proceedings had been initiated by the Selectboard in July. He thanked the landowners and Downey for their testimony and said a decision would be made within 60 days, per 19 V.S.A 711. Downey gave him a map to share with the other board members, and indicated that he would follow up with an electronic version and a copy of the Gill's property deed.

Chair Kramer adjourned the hearing at 8:30pm.