

Open Space and Recreation Committee (OSRC)

March 20, 2023 – 4pm

Town Hall, 10 Central Street, MBTS Room 7

Meeting attendance: O. Hayes, S. Gang, T. Cowman, P. Mitchell and H. Bethell

Members absent: C. Rising, S. Linehan

Staff present: E. Ware, Interim Town Planner

Guests present: Nancy Taylor-Roberts (44 Walker Road); Meredith Fine (attorney representing Nancy Taylor-Roberts) and Grant Gerdes (44 Walker Road)

The hybrid meeting started at 4pm.

There was a short discussion on town mapping, with review of Western Woods properties. There was discussion on the status of the cart paths of the Walker estate, noting that some of the deeds appeared to allow continued access as a result of the Walker estate rights of way so that no properties were land locked. The OSRC will continue to research the cart paths and who has rights to access them.

In reviewing the access points on Highland Avenue to Jersey Lane, it was noted that OSRC members likely trespassed over private lands.

Meredith Fine, attorney representing Nancy Taylor-Roberts, indicated that more notice is needed and that her client did not want her property rights compromised. Further, she stated that Ms. Taylor-Roberts did not place a chain across her property. It was the action of an abutter to his/her property. Ms. Taylor-Roberts did not want public travel on her land. M. Fine stated that she was unaware of any access rights to the Taylor-Roberts property and that a conversation should take place between the OSRC and Ms. Taylor-Roberts about using the perceived access.

O. Hayes stated that the Community Preservation Commission (CPC) had provided a grant for research on legal rights and access, as well as use of trail heads within the Western Woods area. A title examiner had been hired to determine if use was allowed or whether routes needed to be revised. The title examiner had revised 12 deeds, and included a summary, which will be forwarded to town counsel for review and legal opinion. The goal was to determine public rights for access/hiking purposes.

O. Hayes noted that on Pine Street, prior to the Route 128 bridge, there is a good access trail into the Western Woods. It is a town-owned access point, with the road shoulder being able to accommodate parking. It was also noted that Manchester Essex Conservation Trust (MECT) recently purchased land off of Crooked Lane, which adds to the conservation land within the town.

S. Gang and O. Hayes stated that they need some mapping completed to fully understand existing trail heads and where trail heads are needed, etc. H. Bethell suggested talking with MECT about mapping, as there was a big effort several years ago to work with Amy on data and overlays of GIS data.

Grant Gerdes of 44 Walker Road indicated that he was going to go to Town Administrator Greg Federspiel to ask for information regarding this issue. He stated that he did not want to see public access on his property.

There was a short discussion on the Walker estate deed language and who had access to the trails and paths in the area. It was noted that earlier deeds needed to be researched and referenced. Jeff Bodmer-Turner and Amy, who would work on the maps, would need to review the mapping issues.

There was a short discussion on the activities of the Water Resources Task Force, with particular acknowledgement of EPA's requirements for fluorinated chemicals, or per- and polyfluoroalkyl substances (PFAS), in drinking water.

Crooked Lane Parking. There is a need for parking in this area to access mountain bike trails.

Priority projects:

It was determined that the OSRC needs to get legal counsel involved in several projects in order for the OSRC to be successful on the Western Woods initiative and to keep trail heads open.

P. Mitchell stated that there was a fire in the area of Western Woods back in 1994-1995 that resulted in being unable to access Beverly Farms from the end of Crooked Lane. The access issues on fire roads were important.

Mapping and legal counsel review of title work and the Newport Park situation were important.

Review of Minutes:

Minutes of December 12, 2022, were reviewed. H. Bethell made a motion to approve as written, O. Hayes provided a second and all voted in favor of the motion.

Minutes of January 9, 2023, were reviewed. H. Bethell made a motion to approve as written, O. Hayes provided a second and all voted in favor of the motion.

Minutes of February 13, 2023, were reviewed. O. Hayes made a motion to approve as written, with T. Cowman providing a second. All voted in favor of the motion.

The OSRC determined that the next meeting would be on April 17, 2023, at 4pm.

Adjournment: O. Hayes made a motion to adjourn. T. Cowman provided a second and all voted in favor of the motion.

Respectfully submitted,

Elizabeth Ware,

Interim Town Planner