



Stewardship Monitoring Report

Property Information

(1) Name of Property: **Wheeler Preserve and Monitor Barn**

(2) Property Ownership: **RLT** **Private**

If privately owned, record name and address of current owner:

Name(s): Vermont Youth Conservation Corps (VYCC)

Address: 1949 East Main Street, Richmond, Vermont 05477

Contact Name and Phone Number: Tom Hark: 802.434.3969, Fax.802.434.3985

(3) Has there been a change in ownership since last report? **Yes** **No**

If **Yes**, include recording information below:

Deed From: _____ to _____

Town: _____ Book: _____ Page: _____ Date: _____

Visit Report

(4) Date and Time of Inspection: Sunday 12/4/05 8am-11:30am

(5) If privately owned, was owner contacted prior to visit? **Yes** **No**

If Yes, how? (letter, phone, fax, email, etc) _____

(6) Did owner (or representative) accompany the monitor? **Yes** **No**

If Yes, who accompanied? _____

(7) Describe how the land is currently being used (in restricted area only). Give specific detail about **agricultural** and **forest** uses if applicable:

The property is approximately 229 acres. Most of the property is forested (upper elevations). No sign of active management was observed. There is little, if any, merchantable timber on the property. Lower elevations are primarily open field, agricultural (~40 acres), the Monitor Barn and parking. An unknown number of lean-tos (perhaps eight) have been installed along the borders where old field meets forest.

- (8) Monitor's best assessment of whether the terms of the conservation restrictions are being observed:
(if **No**, explain below or on attachment) **Yes** **No**

The property generally appears to be maintained in a manner consistent with common conservation restrictions.* Trail work (repair, rerouting and potentially decommissioning) is needed in several locations (see map) to restore and/or maintain forest and water quality and to prevent further erosion in the forested sections of the property.

Evidence of ATV use could be seen in several areas of the property. Trails may require additional signage and barriers to prevent unwanted ATV usage. An ATV usage policy for this property should be developed if one does not exist.

*A specific list of conditions and conservation restrictions for VYCC's use of the Wheeler property is not available at this time. In preparing this Stewardship Monitoring report, I consulted the Richmond Land Trust's *Conservation Management Plan for South Wheeler Parcel* (undated) prepared by Louis Borie and Walter Poleman (developed prior to VYCC assuming parcel ownership) and standard expectations for proper land management as a baseline for assessment. The Borie & Poleman plan notes that a final management plan will be developed by VYCC and the Richmond Land Trust. It is not known if this final plan has been completed.

- (9) Did you note any possible violations of the terms of the conservation restrictions:
(if **Yes**, explain below or on attachment) **Yes** **No**

A) Property boundary encroachment of the Wheeler Preserve by neighboring property owner (Mr. Craig Cowles) remains an issue. Mr. Cowles installed and maintains a fence extending into the Wheeler Preserve (north side of Cowles property). In addition two oil tanks have been placed on Wheeler Preserve property (leaning against the Cowles fence). I could not ascertain whether these tanks still contain heating oil, if they were properly decommissioned or if they present the potential to cause environmental harm to the Wheeler Property.

During a discussion of the fence/tank issue with Mr. Cowles he stated that he could claim the portion of the Wheeler Preserve property that he has fenced off through adverse possession. When asked to remove the fence, Mr. Cowles stated "No one asked me to do the fence yet." and that he would not remove the fence until VYCC addresses an issue regarding water run-off (separate and unrelated to the property line). When Mr. Cowles was reminded that these were unrelated issues and that the fence issue preceded the water-run off Mr. Cowles became agitated and repeated that he wanted to resolve the problems amicably and easily. He followed each of these statements with threats of protracted legal action if he didn't get the response he desired.

B) Mr. Cowles asserts that because of grading and landscaping changes made to the Wheeler and Monitor Barn properties runoff now drains onto his property and down his driveway in excess of what the culvert under his driveway can handle. This, he says is eroding his driveway and that it puts VYCC in violation of State water quality regulations. He identified the following as the primary causes: a swale in the upper, septic tank area that may be sloped toward his property; the well head above the Monitor Barn property; and, the Monitor Barn parking lot that sheds water to Cowles' culvert rather than toward the Monitor Barn culvert.

Mr. Cowles states that a berm to block water flowing onto his land would be an easy solution and would take about four hours to construct.

Mr. Cowles states that since Tom Hark of VYCC visited him say that VYCC would address the problem no further action has been taken. Cowles says he has sent two friendly letters to VYCC about the problem but has not received a reply. Cowles' also states that his engineer has telephoned VYCC's engineer to discuss the issue and that the VYCC engineer did not believe that a certificate of occupancy for the monitor barn had yet been issued. We told Mr. Cowles that we would inform VYCC of our conversation and we advised him to walk over and talk with VYCC.

No other conditions were noted on the Wheeler Preserve that clearly appeared to be a violation of conservation restrictions were observed.

(10) General Remarks:

A VYCC representative should be identified as a contact person for future monitoring and stewardship related needs.

Running and standing water on a number of trails is causing excessive erosion and the development of social trails. A trail management plan should be developed for the Wheeler Preserve (e.g. which trails to maintain, which to close, which to re-route). This plan could include an updated assessment of trail condition and should precede trail work. See the baseline report by LIA Consultants for a map of trails and trail condition and trail management recommendations.

VYCC has installed an unknown number of lean-tos on the property. The total number of additional lean-tos to be added is also unknown. Lean-tos design and the number to be installed should be specified in a management plan. The locations of each should be identified on a map and assessed prior installation of additional lean-tos.

(11) Attachments (Note how many of each - leave blank if none):

___Photos

1 Maps

___Drawings

___ Other (describe _____)

(12) Name of Monitor: Jon Kart

Signature:



Date: 12/7/2005

Others present at visit: Dan Martin, Brad Elliott, Eileen Elliott.