

BASELINE DOCUMENTATION REPORT

July 2 DRAFT

*Wheeler Parcel
Richmond, VT
July 2002*

Prepared by:

This Report Contains the Following Information:

- Signature pages
- Introduction and description of the current uses of the property
- Summary of Grantor's and Grantee's Rights
- References
- Location map with directions to the property
- 1:24,000 USGS topographic map depicting the approximate boundaries of the property
- 1:5,000 Orthophotograph depicting the approximate boundaries of the property
- Conservation Easement Map depicting the approximate boundaries of the Property, as well as the location of Excluded and Out parcels, Historic Buildings, and Special Use Zones or Areas
- *[For farms] Soil Map*
- Description of photograph points
- Photopoint map
- Photographs of the property *[facing in some logical order for viewing]*

Copies of this report have been provided to: [Town of XXXX]/Landowner YYY

Co-holder ZZ

Co-holder

AA

We, The Landowner, have signed this Baseline Documentation Report with the understanding and agreement that this Report will be used for, but not limited to, monitoring the property depicted and described in this Report for compliance with the Grant of Development Rights, Conservation Restrictions and Right of First Refusal dated [Date of Grant of Development Rights] and signed by us. We have read this Report and understand it. We agree that this Report, including the maps and photographs, accurately describes and depicts the physical features, relevant site conditions, and current structures and land uses on our property conserved by the Grant. We affirm that there are no activities ongoing on our property that are inconsistent with the Grant.

GRANTORS, [LANDOWNER NAMES]

Witness as to both

[LANDOWNER NAME]

Date

[LANDOWNER NAME]

STATE OF VERMONT

COUNTY, SS

At _____, this ___ day of _____, 2000, [LANDOWNER(S)], personally appeared and they acknowledged this instrument, by them sealed and subscribed, to be their free act and deed.

Before me, _____
Notary Public
My Commission Expires:

I, _____, have signed and prepared this Baseline Documentation Report with the understanding and agreement that this Report will be used for, but not limited to, monitoring the property depicted and described in this Report for compliance with the Grant of Development Rights, Conservation Restrictions and Right of First Refusal dated [Date of Grant of Development Rights]. I affirm that this Report including the maps and photographs accurately describes and depicts the physical features, relevant site conditions, and current structures and land uses on the property conserved by the Grant and that I visited this property personally.

VERMONT HOUSING AND CONSERVATION BOARD

Witness to VHCB

Date

**STATE OF VERMONT
WASHINGTON COUNTY, SS**

At Montpelier, this _____ day of _____, 2000, _____, Duly Authorized Agent of the **VERMONT HOUSING AND CONSERVATION BOARD** personally appeared and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed and to be the free act and deed of the **VERMONT HOUSING AND CONSERVATION BOARD**.

Before me, _____
Notary Public
My Commission Expires:

Introduction

The purpose of the enclosed information is to describe the physical features and current land uses of the Wheeler South Parcel on which the development rights were conveyed to the Vermont Housing and Conservation Board, in July 2002, and recorded in the Town of Richmond Land Records.

This report is based, in part, on a documentation visit by [name(s)] _____ for the Vermont Housing and Conservation Board on [Month], _____ 2002. This report was prepared by [name(s)] _____ of VHCB.

Description and Current Use

The Richmond Land Trust purchased the 229-acre Wheeler South Parcel from the Wheeler Family Trust in July 2002. Located along the Winooski floodplain and adjacent uplands, the property has a long and distinguished agricultural history. It was once part of a 650-acre dairy farm featuring two Monitor Barns that now appear on the National Register of Historic Places. These barns are unusually large, and their design is not common to the region. They are a testament to the financial success of the Whitcomb family, who owned the dairy farm during their construction in the early 20th Century. The Wheeler Family acquired the farm in the 1940s, and ran it as an active dairy farm until the 1970s. The Wheeler family has subdivided and sold portions of the original farm over the last 25 years, including a 170 parcel (directly east of the Wheeler South Parcel) to the Vermont Farm Bureau in 1994. The Richmond Land Trust has held a conservation easement on a 44-acre piece of the Vermont Farm Bureau property surrounding the East Monitor Barn complex since 2000. The Richmond Land Trust also acquired a 3.6-acre parcel from the Vermont Farm Bureau at this time for the purpose of reconstructing the West Monitor Barn.

The current uses of the Wheeler South Parcel relate to agriculture, forestry, and recreation. The Conant Farm of Richmond is currently leasing the 40-acre (check size) cornfield along Route 2. The rest of the old cultivated and pastured lands are not currently being used for agriculture, and the steep, forested hillsides have been managed for timber in recent years. A major power line corridor divides the bottom third of the Property from the upper two-thirds. The Parcel has 793 feet of frontage along Route 2.

Land and Scenic Resources

- **Landforms** - The Wheeler South Parcel contains a diversity of landforms ranging from flat riparian areas and ancient river terraces to rocky cliffs and talus slopes. The southern one-third of the site, with its gentle topography at elevations of 350-450 feet, is ringed by steep hills. The highest points are over 1000 feet in elevation and are found on the ridge that forms the eastern boundary of the site. The northern part of the parcel contains a gently rolling topography at elevations of 800-900 feet.
- **Geology** - Underlying the Parcel is bedrock of the Pinnacle Formation. This gray, coarse-grained rock of fairly uniform texture was first laid down as sediments in the early Cambrian period, 590-550 million years ago. The Pinnacle formation is found in outcrops across the property, mainly on steeper areas of the ridges that run north-south on both the east and west side of the parcels. While bedrock outcrops are common, in most areas bedrock is overlain by glacial till. A conglomeration of rock particles ranging from clay to silt, till was deposited by glaciers during the last ice age. As

glaciers retreated northward at the end of the last ice age (13,000 years ago), many lakes were formed behind ice dams. Lake Vermont, the precursor to present day Lake Champlain, covered all of the Champlain Valley and the Winooski Valley in the vicinity of Richmond. Sediments laid down in the bottom of Lake Vermont overlie till and bedrock in many of the lower elevation areas of the parcel. Initially deposited in level beds, the Winooski River and smaller streams have eroded much of this sediment, leaving terraces cut by steep-sided stream channels.

- **Soils** - There are two main types of soils on the Parcel, those derived from glacial till and those derived from lacustrine, or lake-bottom, sediments. Above 500 feet elevation till-derived soils dominate. Most of these are of the Lyman and Marlow association and are generally stony to extremely stony loams with developed horizons and a pH of 5.0-5.5. Peru and Cabot soils are other till-derived soils found on the site. They are similar to Lyman and Marlow soils but are less well-drained. The topography where these soils are found is rolling to steep, and most of this land is forested. Numerous soil types derived from lacustrine sediments are found on the lower portions of the site. These soils are in the Hartland-Belgrade-Munson association and range from nearly level to steep, well-drained to somewhat poorly-drained, silt loams to loamy sands. The pH range is 5.5-7.5. These soils were almost all cleared for agriculture in the past and much of the area is still in active use.
- **Hydrology** - Several small streams and their tributary drainages flow through the Parcel. The largest stream drains the southern two-thirds of the Parcel and exits the property in the southwest corner. Two other streams and numerous tributary channels drain the northern portion of the Parcel. Many of the smaller streams are intermittent or seasonal in nature, with water flowing only after heavy rains or during the spring snowmelt. Several springs and seeps are also found on the site. Many of these are associated with streams or are found along the contact between till-derived soils and lacustrine-derived soils. Some are also found in the gently rolling terrain of the northern part of the Parcel. This is the wettest area of the property, and a few vernal pools can be seen here in the spring. There is also a larger forested wetland and a small beaver pond nearby.
- **Forest Types** - The forested hillsides that make up the majority of the Parcel are comprised of several different types, including Northern Hardwood Forest, Dry Oak Forest, Hemlock Northern Hardwood Forest, Mixed Conifer Plantation, Northern Hardwood Talus Woodland, Red Oak Northern Hardwood, Red Pine Plantation, Rich Northern Hardwood, White Pine, White Pine Northern Hardwood Forest, and Hemlock Swamp.
- **Wildlife** - The Wheeler South Parcel is composed of a diverse mosaic of forest, open areas, rock outcrops, and wetland habitats that are likely to support some 200 wildlife species. Ancient lake terraces underlying a cultural landscape of agricultural fields, pastures, orchards, and savannahs characterize the southern part of the property where small mammals and a suite of birds are common inhabitants. A mixture of moist deciduous and coniferous forests, dry hilltops interspersed with rock outcrops and forested wetlands characterize the northern sections of the tract. More reclusive birds and larger mammals, as well as a number of frogs and salamanders, find their niche here. Overall, this landscape includes characteristics of 60% of the major habitat types in New England, and 60% of New England wildlife species are likely to be found here. Approximately 180 of the 229 -acre parcel can be considered "unfragmented."

Inventory of Existing Buildings and Structures

There are currently no buildings on the property.

Special Use Areas

Low: Do we need to designate these?

Exclusions and Reserved Rights

Low: The only reserved rights I know of are related to the power line easement, but I do not know the exact details.

Public Access

There is a VAST (Vermont Association of Snow Travelers) trail along the western boundary of the property.

Outstanding Habitat Resources

The Nongame and Natural Heritage Program map of the town shows no significant natural habitats or rare species occurring on the property. However, a natural resource inventory conducted by LIA Consultants from the University of Vermont revealed two uncommon natural community types on the Property: Northern Hardwood-Talus Woodland and Hemlock Swamp.

Management Plan

The conservation easement specifically requires management plans to help guide the daily activities regarding the uses of the property.

Prior to the final adoption of each Management Plan, Grantor shall:

1. Secure the appropriate public input from the citizens of the town(s) and from the general public; and
2. Provide Grantee(s) with a copy of each such Management Plan.

Forest Resources and Management

The Forest Management Plan (FMP) is a component of the overall Management Plan for the property.

Summary of Grantor('s/s')¹ Reserved Rights

Low: This section needs info from easement

Conservation restrictions allow the property to be used for [Edit per easement: agricultural, forestry, education, non-commercial recreation, and open space] purposes. The following restricted and permitted uses have been granted.

Restricted Uses of the Property

The following are limitations on the landowner's(s') use of the property—paraphrased from the easement—the exact language of the restricted uses are found within the easement: [Delete uses that do not apply]

1. **General:** A conserved property may be used for agricultural, forestry, educational, non-commercial recreational, and open space purposes only. Unless specified in the easement, no residential, commercial, industrial, or mining activities are permitted.
2. **Rights of Way and Easements:** No rights of way, easements of ingress or egress, driveways, roads or utility lines shall be constructed, developed, or maintained into, on, over, under, or across the Protected Property, except as specifically permitted under this Grant.
3. **Signs:** There shall be no signs, billboards, or outdoor advertising of any kind erected or displayed; provided, however, that the Grantor may erect and maintain reasonable signs indicating the name of the property, organizations providing funding or sponsorship, boundary markers, directional signs, signs informing the public about reasonable use, memorial plaques, historical markers and signs informing the public that agricultural or timber products are for sale or are being grown on the premises.
4. **Trash:** The placement, collection or storage of trash, human waste or any other unsightly or offensive material on the property is prohibited **unless VHCB provides written approval** of such storage in advance. The storing and spreading of manure, lime and other fertilizer for agricultural purposes is permitted without such approval. No permission is required for temporary trash storage.
5. **Excavation:** Except as permitted by the Grant or as may reasonably be necessary to carry out the uses permitted by this Grant, there shall be no disturbance of the surface of the Protected Property including, but not limited to, filling, excavation, removal of topsoil, sand, gravel, rocks or minerals, or change of topography of the land in any manner. In no case shall surface mining or subsurface oil, gas or other mineral extraction be permitted.
6. **Water Resources:** Except as reasonable necessary to carry out the uses permitted under this grant, there shall be no manipulation of natural watercourses, marshes, or other water bodies,

¹ Grantor includes [], their heirs, executors, administrators, and assigns.

nor shall there be activities conducted on the Protected Property which would be detrimental to water purity, or which could alter water level or flow.

7. **Subdivision:** The Property shall not be subdivided or conveyed in separate parcels, transferred, mortgaged, pledged, leased or otherwise encumbered, **without the prior written approval of Grantee**, which approval may be conditioned, withheld or revoked in Grantee's sole discretion. Since an intent of the easement is to maintain the protected property as a single parcel, except when a right to subdivide is specifically permitted in the Grant, approval to subdivide is rarely granted.
8. **Consistency Clause:** No use shall be made of the Protected Property, and no activity thereon shall be permitted which, in the reasonable opinion of the Grantee(s), is or is likely to become inconsistent with the Purposes of this Grant.

Permitted Uses of the Property

The following are permitted activities on and uses of the conserved property [Delete uses that do not apply]:

1. **Agriculture:** *The landowner may establish, re-establish, maintain, and use fields, orchards and pastures in accordance with generally accepted agricultural practices and sound husbandry principles. **Written approval from Grantee(s) is needed to clearcut forestland to establish fields, orchards, and pastures. Construction and maintenance of farm roads and fences is also permitted. If a question arises concerning what are "sound agricultural and husbandry principles", Grantee(s) will seek the advice of professionals in those fields such as the Natural Resources Conservation Service, University of Vermont Extension System, or the Vermont Department of Agriculture.***
2. **Forest Management:** The landowner may harvest timber and conduct maple sugaring operations, and is permitted to construct and maintain logging roads. The harvesting of timber must be in accordance with a **Forest Management Plan which has been approved by the Grantee(s)**. However, a plan is not required for maple sugaring operations or harvesting firewood, along existing woods roads only, for heating residences and other buildings **on the property**. Generally, if a Forest Management Plan is prepared by a professional forester and is approved by the County Forester, it will be approved by the Grantee(s).
3. **Farm Buildings:** *The landowner may construct and maintain barns, sugar houses, and similar structures on the property (and associated drives and utilities) provided they are used for agricultural or forestry purposes. **The owner must obtain prior written approval from the Grantee(s), and permission will be granted if the location of new structures is consistent with the easement's purposes.***
4. **Water Resources:** The landowner may improve and establish sources, courses, and bodies of water for uses permitted under the conservation easement. The easement requires that the natural course of existing surface water drainage and runoff not be unnecessarily disturbed, except where required to improve the drainage of agricultural lands. The construction of ponds and reservoirs is permitted with the **prior written consent** of the Grantee(s).

5. **Trails:** The landowner may clear, construct, and maintain trails for non-motorized, non-commercial recreational activities. Snowmobiling, hunting, and trapping are left to the discretion of the landowner.
6. **Farmstead Complex:** *The easement creates a "farmstead complex" area. Within this area, no approval is required when the farmer renovates, repairs, or enlarges existing farm structures or constructs new non-residential structures, so long as these improvements are normally associated with farming. However, no new dwelling can be constructed nor can the farmstead complex be sold separately from the protected farm. The Grantee(s) must be notified in order to build new structures or improvements within the farmstead complex. Farm buildings can be constructed outside the farmstead complex, but written approval from the Grantee(s) is required.*
7. **Farm Labor Housing (FLH):** *The easement allows another residence for farm labor or farm owner family use. Other non-residential structures such as a tool shed can be built within the FLH Complex/Site. This area cannot be sold separately from the farm. The addition of one farm labor housing unit (if applicable) requires Grantee(s)' approval of the location of the new unit. This new housing cannot be sold separately from the farm and must be occupied by a farm employee or member of the landowner's family. When not needed for farm labor or family members, the housing may be rented only on a short-term basis (one year or less) so the housing can periodically become available for farm labor use.*
8. **Home Occupations:** *With the prior consent of the Grantee(s), home occupations may be conducted within the farmhouse(s), provided the occupation is conducted primarily by one who resides in the farmhouse. Examples might include a bed and breakfast, or an accounting business.*
9. **Accessory Uses:** *Certain accessory uses of the property are permitted with prior consent of the Grantee(s). These uses must be: 1) related to the principle agricultural, forestry, or open space uses of the farm, 2) the use is "subordinate" to those principal uses (i.e., smaller in scale), and 3) the use is "customarily incidental to" the principal uses of the farm. Examples might include the manufacture of cheese or milk bottling.*
10. **[If applicable] Subdividable House Sites:** the landowner may construct a new dwelling... The subdivided house site will still be covered by the conservation easement after it is transferred.
11. **Other:** insert other, e.g.—septic, gravel extraction, camps, etc.

Other Special Provisions [Delete section if not applicable]

1. Agricultural easements, contingent rights of the USA, etc.

This is a summary of the actual legal rights. For a more complete description of these rights, refer to the Grant of Development Rights and Conservation Restrictions.

Summary of Grantee's² Rights

² Grantee refers to the Vermont Housing and Conservation Board, its successors and assigns.

The Grantee's primary intent is to conserve and protect productive agricultural and forestry uses, and secondarily to encourage sustainable management of soil resources. Other goals in conserving this property include promoting non-commercial recreational opportunities and activities and other natural resource and scenic values of the Protected Property for present and future generations. Aside from holding the development rights on the Protected Property, the Grantees have the right to periodically monitor the property and enforce the Conservation Restrictions.

[The Grantee has the perpetual Right of First Refusal to purchase the Property.]

This is not a description of the actual legal rights. For a more complete description of these rights, refer to the Grant of Development Rights and Conservation Restrictions.

References

- Grant of Development Rights and Conservation Restrictions
- [others as applicable]

Description of Photograph Points
Wheeler South Property
April - June
Walter Poleman, Photographer

<u>Photo</u>	<u>Direction</u>	<u>Description</u>
1.	W	Looking West from SE corner of property
2.	N	Looking North from SE corner of property
3.	S	Looking South from NE corner of cornfield
4.	W	Looking West from NE corner of cornfield
5.	S	Looking South from boundary with West Barn Site
6.	N	Looking North from Route 2
7.	NE	Looking Northeast from Route 2 on SW corner of property
8.	SW	Aerial Photo of Hemlock/Birch Swamp on northern section of parcel
9.	N	Looking North at Vernal Pool
10.	N	Looking North at Red Pine Plantation
11.	N	Aerial Photo of Property
12.	NW	Looking Northwest at Northern Hardwood Talus Woodland



#1



#5



#2



#6



#3



#7



#4



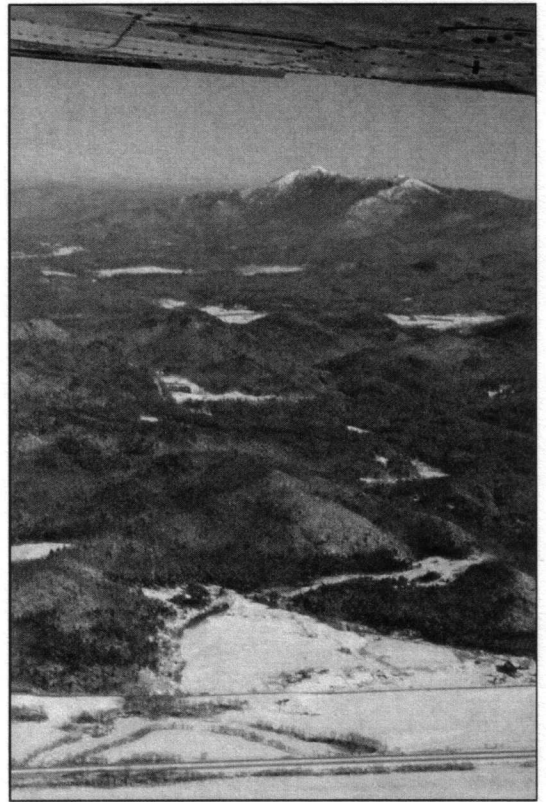
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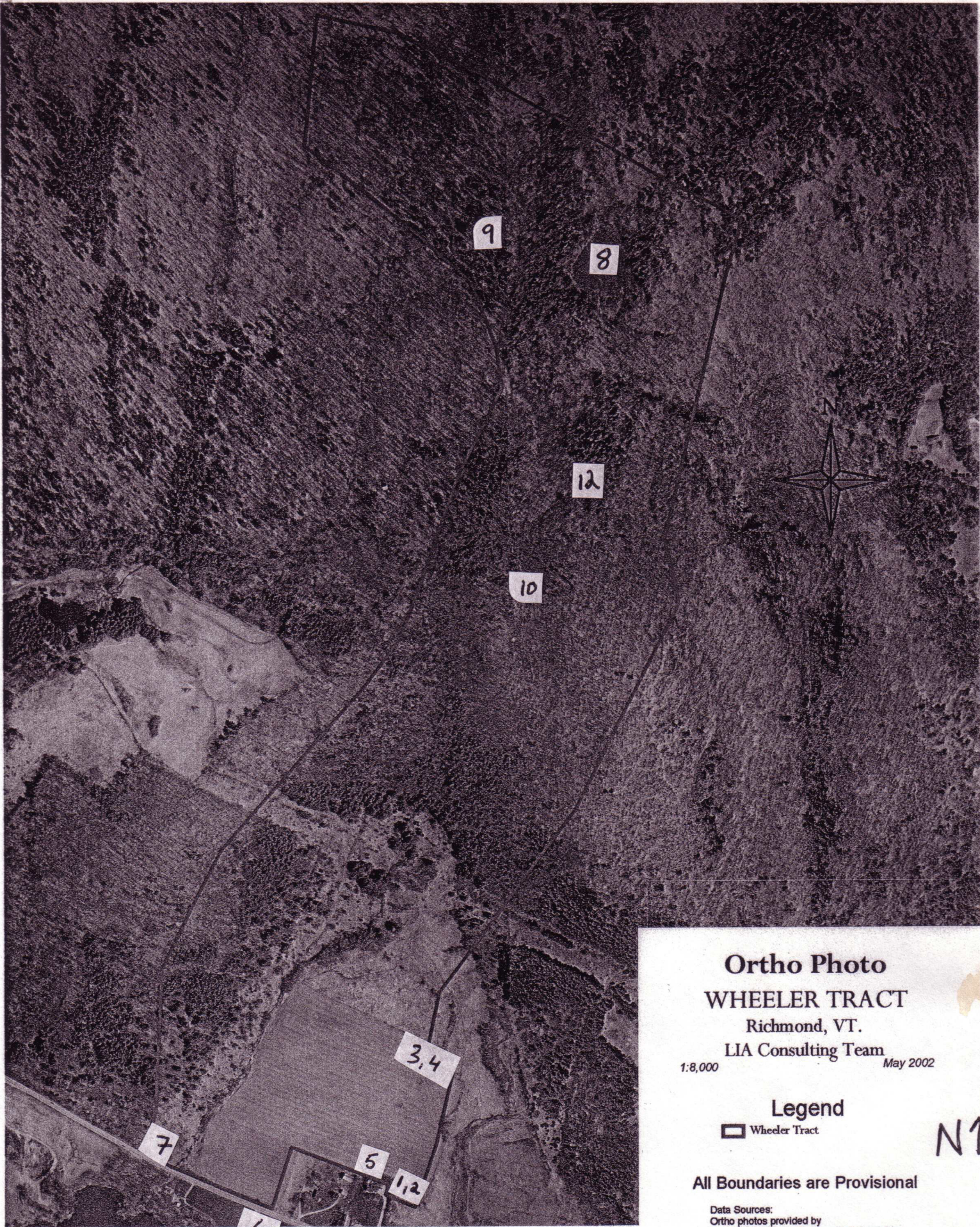
#10



#11



#12



200 0 200 400 Meters

Ortho Photo WHEELER TRACT


Richmond, VT.

LIA Consulting Team

1:8,000

May 2002

Legend

 Wheeler Tract

N↑

All Boundaries are Provisional

Data Sources:
Ortho photos provided by
Vermont Center for Geographic Information.

Map Created by LIA Consulting Team

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Photograph Point Map