

BASELINE DOCUMENTATION REPORT



HINESBURG TOWN FOREST PROPERTY

Hinesburg, Vermont

VLТ Project No. 131745
VHCB No. 2021-118-001

Prepared by:
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Vermont Land Trust ■ Conservation Stewardship

The Conservation Stewardship Program is staffed by a vice president for stewardship, foresters, ecologists, a legal team, mappers and regional stewardship and project directors.

The responsibilities of the Conservation Stewardship Program include maintaining land related records, tracking changes in land ownership, monitoring conserved properties at least annually, photo-documenting land uses periodically, answering landowner questions, interpreting or approving permitted activities, and correcting violations through voluntary compliance or, if necessary, legal proceedings. Stewardship Program staff also support landowners as stewards of their land by offering information and advice on sound and sustainable uses of conserved properties.

This Report Contains the Following Information:

- Introduction and description of the current uses of the property
- Summary of Grantor's and Grantees' rights
- References
- Signature pages
- Conserved property location map
- USGS topographic map
- Orthophoto map
- Conservation Easement map
- Photopoint map
- Photographic documentation

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Introduction

The purpose of this report is to describe the physical features and current land uses of the **Hinesburg Town Forest Property** on which the development rights, a perpetual conservation easement and restrictions, and a public access easement are being conveyed to the Vermont Land Trust, Inc. (VLT) and the Vermont Housing and Conservation Board (VHCB). The Grant conveying these rights will be recorded in the Hinesburg Land Records.

This report is based, in part, on documentation visits by Caitlin Cusack (Forester) for the Vermont Land Trust on September 21, 23, October 5, 11, November 11, and December 22, 2021. Bob Heiser (VLT Project Director) and Pat Mainer (Hinesburg Town Forest Committee) were present for the November 11 visit. Caitlin assembled the report and digital photographs; maps were prepared by Caitlin and VLT GIS staff.

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Purposes of the Grant

The primary purposes of the easement are to conserve productive forestland, wildlife habitats, biological diversity, riparian buffers, wetlands, soil productivity, water quality, native flora and fauna and the natural processes that sustain these natural resource values, non-motorized, non-commercial recreational and educational use and scenic values of the property.

The purposes of the Grant will be advanced by conserving the property because it possesses the following attributes:

- 1,124.5 acres of forest available for long-term sustainable management for the production of forest products;
- two occurrences of Dry Red Oak-White Pine Forest, an uncommon natural community in Vermont;
- three Vernal Pools, an uncommon natural community in Vermont, that provide high-quality amphibian breeding habitat;
- it can be used for numerous recreational, cultural and educational purposes by the Town, its schools, and the community;
- streams, including tributaries of Hollow Brook, the Huntington River, and the LaPlatte River, that, with wooded buffers and natural flow, provide an array of

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ecological benefits including maintaining water quality and providing corridors for species movement;

- wetlands, including open, shrub, forested, seepage, and beaver-influenced wetlands;
- additional wetland, upland, and riparian habitat for wildlife;
- three (3) miles of frontage on Lincoln Hill Road, Hayden Hill Road East, Hayden Hill Road West, and Economou Road, public highways with scenic vistas; and,
- it is in the vicinity of the Fred Johnson Wildlife Management Area owned by the Vermont Department of Fish & Wildlife.

Description and Current Use of the Property

Property Overview

The Town of Hinesburg is conserving **±1,124.5 acres** in Hinesburg, an estimated 834 of which constitute the existing Hinesburg Town Forest while the remaining 291 acres will be purchased by the Town from the Carse Land Company, LLC (Carse Addition).

The Hinesburg Town Forest is located south of Hayden Hill Road, with the exception of the 72-acre 'Hollis' parcel, which is located north of Hayden Hill Rd West. The Carse Addition abuts the town forest to the southwest. Lincoln Hill Road forms the southern boundary of the Carse Addition. The Hinesburg Town Forest and Carse Addition are at the core of roughly 4,000 acres of unfragmented forest and provide an important landscape connection. The two parcels connect the forest block that the Sleepy Hollow Ski and Bike Center and Green Mountain Audubon Center are a part of to the north with the 700 acres of forestland retained by a member of the Carse family south of Lincoln Hill Road and the Fred Johnson Wildlife Management Area. The properties lie within forestland identified as Priority Interior Forest Block and Priority Connectivity Block by the Vermont Conservation Design, a landscape-level conservation prioritization from Vermont Land Trust and the Vermont Agency of Natural Resources. The Hinesburg Town Forest and Carse Addition include over 3.5 miles of forested headwater streams that flow into the Huntington and LaPlatte Rivers and ultimately flow into Lake Champlain. The properties also encompass forested wetlands, a beaver-influenced alder swamp, state-significant vernal pools and two areas of Dry Red Oak – White Pine Forest, an uncommon natural community in Vermont.

The Hinesburg Town Forest is also a statewide significant recreational resource with 15 miles of popular multi-use trails within easy access to Vermont's largest population center. The Carse Addition has two main trails that cross onto the Hinesburg Town Forest, including one, which provides access to the Town Forest from Lincoln Hill Rd. The

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Carse Addition connects the Hinesburg Town Forest with 10 miles of multi-use trails on the southern acreage retained by a member of the Carse family.

Much of the land use history of the Hinesburg Town Forest and Carse Addition follows the pattern common to most of Vermont. Prior to European settlement the Abenaki and their ancestors and allies hunted and gathered in the area since the Paleo-Indians first arrived here almost 13,000 years ago. Subsistence farms were established in Hinesburg after the American Revolution. The thin soils made the hill farms the least productive and thus they were the first farms to be abandoned or taken for back taxes. Since then the trees have re-established and the cellar holes, stonewalls, barn footings and barbed wire fencing are all that remain of those original settlements.

In 1936, the first 100 acres were given to the Town of Hinesburg. Since then the town has pieced together parcels to create the estimated 834 acres. In 1962, the town considered selling the town forest but instead decided to appoint a town forest committee, which exists today as a governing body. Early management activity in the town forest focused on planting trees, such as Norway spruce, white pine and red pine. These softwood plantations have been managed since then but a large portion were damaged by a 2010 windstorm.

There is a detailed record of forest management in the Hinesburg Town Forest, which was important to its 2016 designation as the first town forest to be listed on the National Register of Historic Sites. The record traces the evolution of forestry practices that demonstrate how woodlands can be managed for the public benefit. Noteworthy forestry projects include the harvesting of ash for flooring in the town hall and as a laboratory where the nationally recognized Silviculture with Birds in Mind project between Audubon Vermont and Vermont Department of Forests Parks and Recreation was first tested. Recently the public events and other outreach and education related to forestry activities in the Hinesburg Town Forest have served as a model of community outreach and engagement in forest management.

There is less information readily available about the history of the Carse Addition. There are records of the Clark and Langley African American families who farmed nearby on Lincoln Hill until around 1865. Since the mid 1900s, Henry Carse owned and oversaw the management of a 1,000 acre forested parcel in Hinesburg, of which the Carse Addition is a part. It has been enrolled in the state's current use program since 1993. A powerline is located through the southern portion of the property along Lincoln Hill Rd. The property was transferred to a LLC, of which his descendants are members. In 2020 Henry's family members decided to sell the property. One of the current owners purchased the 700 acres located south of Lincoln Hill Road and the family offered to sell the remaining 291 acres on the north side of Lincoln Hill Road to the Town of Hinesburg.

Barbed wire fence, stonewalls, corner pins, pipes and rods clearly delineate the boundaries of the Hinesburg Town Forest. Most of the boundaries have been painted by the town forest committee. There is one existing issue with the northwestern corner of

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the Hollis parcel, which is described below in the section on Excluded Parcels. The boundaries of the Carse Addition have not been painted recently. Barbed wire fence, stonewalls, survey pins and rods were found on most lines.

There are currently three unpaved parking lots located on Economou Road and on the end of the maintained portions of Hayden Hill West and Hayden Hill East.

Management Plans

The landowner is required to develop a comprehensive management plan including updates, revisions and amendments. The management plan will present a plan for the use and management of the property that is consistent with the easement's purposes, and will balance all the resource attributes and human use of the protected property. The landowner shall solicit public input from residents of Hinesburg and the general public. The management plan should be developed in a timely and responsive manner and VLT shall be provided a copy of each management plan and a copy of each final adopted management plan.

Before any active timber harvesting, sugaring, or other forestry activities may take place, the landowner must submit a forest management plan (FMP) to VLT for review and approval. The forest management plan must be updated every ten years and any amended or updated plan must be submitted to VLT for approval before commencing any activities prescribed in the plan. Amendments are required for any proposed change in the treatments prescribed in the approved plan, but no amendment is needed for changes in timing of treatments unless the change is greater than five years. *For more information on requirements for the management plans, refer to Section I B and C of the easement.*

Public Access

The property provides an important recreation connection. Today there are roughly 18 miles of trails on the Hinesburg Town Forest and Carse Addition that are stewarded by the Fellowship of the Wheel and connect to public trails on the 700-acre parcel retained by a member of the Carse family. These trails are used for mountain biking, hiking, running, dog walking, hunting, educational walks, birding and wildlife viewing. In 2018, the SE Group conducted a study that estimated traffic volumes as high as 30,000 over the course of a year. This number has increased since the COVID-19 pandemic began as interest in outdoor recreation has grown and access to nature for mental and physical well-being has become more essential. A Vermont Association of Snow Travelers (VAST) trail also passes through the southeastern corner of the Carse Addition. ATVs are allowed on designated trails, including Economou Road, as shown in the 2012 management plan map, provided that such use does not cause significant damage to the resource or conservation values of the protected property and is otherwise consistent with the Purposes of the Grant.

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The property will be available to the general public for all types of non-commercial, non-motorized, non-mechanized, dispersed recreational and educational purposes (including bird-watching, boating, cross-country skiing, fishing, hiking, hunting, snowshoeing, swimming, trapping, walking and wildlife observation) and educational activities consistent with the easement's purposes. Any proposed new trails or other uses will be accounted for in the comprehensive management plan for the property. The landowner may limit or restrict public access to the protected property to assure compliance with the easement, to protect natural habitats, or to protect the public health or safety (including, but not limited to, the right to permit, regulate or prohibit fishing, hunting and trapping). *For more information about public access, refer to Section IV of the easement.*

Natural Resources

The majority of the Hinesburg Town Forest and the western third of the Carse Addition is dominated by variants of the northern hardwood forest type at different stages of development depending on soils, topographic position, aspect, management history and natural disturbance. The same storm that damaged the softwood plantations in 2010 also led to windthrow in the northern hardwood stand on the Carse Addition. Further damage occurred to this stand in 2011 and 2012. Three small patches of a state-significant occurrence of Dry Red Oak-White Pine Forest, occurs on south- and west-facing ridges on the Carse Addition and another two small patches on the Hinesburg Town Forest Hollis parcel. These two areas are separate 'element occurrences' (EO) of Dry Red Oak-White Pine Forest because of the separation distances, though each EO has multiple patches based on local topography. These areas are in good condition and contain species characteristic of this natural community. This natural community occurs on dry, warm slopes or ridges on acidic bedrock, and is characterized by red oak, white pine, serviceberry, witch hazel, lowbush blueberry, lousewort, maple-leaf viburnum, wild oats, hophornbeam, and Canada mayflower.

The easement designates a Dry Red Oak – White Pine Forest Ecological Protection Zone (EPZ) encompassing the two state-significant areas of Dry Red Oak – White Pine Forest. Limited agricultural activities are allowed within the EPZ at the Grantees' sole discretion, and all forest management activities must comply with a forest management plan. For a detailed description of the restrictions of the EPZ, refer to Section V of the conservation easement.

Three state-significant vernal pools were documented. One is located on the western ridge of the Carse Addition, and the other two are located on the Hinesburg Town Forest—one along the unmaintained portion of Hayden Hill Rd while the other is located on the Hollis parcel in a saddle between two ledgy areas with Dry Red Oak-White Pine Forest at the top. Both of these had dozens of wood frog egg masses though they were at a lower water level than usual, based on stained leaves visible.

The easement designates a Vernal Pool Ecological Protection Zone (EPZ) encompassing the three vernal pools. The vernal pools and the area within their surrounding 100-foot

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radius as measured from each pool's edge is designated as the Primary Zone EPZ. No agricultural activities, removal of standing timber or downed wood or disturbance to the pool's hydrology is allowed. The forested area within an additional 500-foot radius outward from each Primary Zone is designated as the Secondary Zone EPZ. Timber harvesting is permitted but prescriptions need to address amphibian habitat needs, such as coarse woody debris and shade in a forest management plan that is approved by the Grantees. For a detailed description of the restrictions of the EPZ, refer to Section VI of the conservation easement.

Several streams traverse the Hinesburg Town Forest and Carse Addition. Most of the streams in the Hinesburg Town Forest drain east to the Huntington River but a small number drain west to the LaPlatte River. Vermont Conservation Design considers the streams on the Hinesburg Town Forest and Carse Addition to be Highest Priority Surface Waters and Riparian Areas providing Riparian Wildlife Connectivity. Northern Hardwood Seepage Forest is also located on the Hinesburg Town Forest as well as alder swamp. Seepage forest is a mosaic wetland-upland characterized by groundwater seeps, ephemeral channels, and plants that can indicate groundwater seepage and mineral enrichment including toothwort, foamflower, white ash, yellow birch, naked miterwort, seep sedge, cinnamon fern, and sensitive fern. The areas of forested or naturally vegetated portions within 50 feet of the tops of the banks of the streams and wetlands are protected by water protection areas. Any management within these areas must maintain and enhance the ecological benefits, such as water quality, soil integrity, natural hydrology, and aquatic habitat, to name a few. For a detailed description of the restrictions of the water protection areas see Section III, paragraph 5.

The protected property provides an important landscape connection. The Vermont Conservation Design places the town forest and Carse addition in an unfragmented forest block that is considered Priority Interior Forest Block and Priority Connectivity Block, which among other things is important for wide-ranging mammals like black bear and moose. The Hinesburg Town Forest and Carse Addition provide habitat for many other species of wildlife including deer and mature forest bird species including American Redstart, Rose-breasted Grosbeak, Blue-headed Vireo, Downy Woodpecker, Ovenbird, Least Flycatcher, Black-throated Green Warbler, Black-throated Blue Warbler, Hermit Thrush, Swainson's Thrush, Eastern Wood-pewee, and Black and White Warbler, as well as species more associated with young forest, such as the Chestnut-sided Warbler. Higher ridges provide potential denning areas for porcupines, foxes, bobcats and bear.

Inventory of Existing Structures

There are three kiosks on the protected property located at the Hayden Hill West, Hayden Hill East and Economou parking lots. There is also a private well for the camp located to the south of the Carse Addition. This well is also depicted on the 1993 "Survey Carse Land Co to Mobbs and Longway."

Excluded Parcels

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The 0.5 acre northwestern corner of the Hollis parcel of the Hinesburg Town Forest includes a privately-used road and well and is being excluded from the terms of the easement. . The line of the exclusion generally follows a barbed wire fence. VLT is not obligated to increase the size or change the configuration of the excluded parcel or alter the Grant to comply with zoning, subdivision or other governmental regulation in order for the landowner to develop and use the excluded parcel.

Summary of Grantor's¹ Rights and Restrictions

Conservation rights and restrictions allow the protected property to be used for forestry, education, non-commercial recreation, and open space purposes. For the specific restricted and permitted uses included in the easement, refer to the Grant of Development Rights, Conservation Restrictions, and Public Access Easement (referred to as the easement throughout this document).

Summary of Grantees'² Rights

The Grantees' primary intent is to conserve and protect productive 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 Grantee has the right to periodically monitor the property and enforce the Conservation Restrictions.

This is a summary of the Grantor's and Grantees' legal rights. For a complete description of these rights, refer to the Grant of Development Rights, Conservation Restrictions, and Public Access Easement.

¹Grantor is the landowner, **Town of Hinesburg**, its successors, and assigns.

²Grantees are the **Vermont Land Trust, Inc. and the Vermont Housing and Conservation Board**, their successors and assigns.

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References

- Grant of Development Rights, Conservation Restrictions, and Public Access Easement, Hinesburg Town Forest Property, 2022
- Application to the Vermont Housing and Conservation Board, Hinesburg Town Forest Property, 2021
- Draft Inventory and Assessment for the Hinesburg Town Forest, Harris Roen, 2018
- Forest Resource Management Plan for Lands Owned by Carse Land Company LLC, Hunger Mountain Forestry, 2011
- Amendment #1 Forest Resource Management Plan for Lands Owned by Carse Land Company LLC, Hunger Mountain Forestry, 2012
- Hinesburg Town Forest Management Plan, Town of Hinesburg, 2012
- Ecological Assessment Report, Hinesburg Town Forest and Carse Addition, Allaire Diamond, Ecologist for VLT, December 22, 2021

- Survey of the "Transfer of Land to Adjoiner" R&J Francis, J&R DeVoid, and N&P Francis, co-owners, to Nolan and Pamela Francis, George E. Bedard, 2007
- Plat of Survey Carse Land Co to Mobbs and Longway, Cowan Surveying, 1993

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I, _____, duly authorized agent of the **TOWN OF HINESBURG**, have signed this Baseline Documentation Report with the understanding and agreement that this Report will be used for, but its use will not be limited to, monitoring the property depicted and described in this Report for compliance with the Grant of Development Rights, Conservation Restrictions, and Public Access Easement, signed by me. I have read this Report and understand it. I 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 the property conserved by the Grant. I affirm that there are no activities ongoing on the property that are inconsistent with the Grant.

TOWN OF HINESBURG

Its Duly Authorized Agent

Date

STATE OF VERMONT

_____ **COUNTY, ss**

At _____, this ____ day of _____, 2021,
_____, **duly authorized agent of the TOWN OF HINESBURG** personally appeared and acknowledged this instrument, by said person sealed and subscribed, to be said person's free act and deed and the free act and deed of the TOWN OF HINESBURG.

Before me, _____
Print Name:
Notary Public, State of Vermont
Commission No:
My Commission Expires: 01/31/2023

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I, **CHRISTINE MCSHEA**, duly authorized agent of the **VERMONT LAND TRUST, INC.**, have signed this Baseline Documentation Report with the understanding and agreement that this Report will be used for, but its use will not be limited to, monitoring the property depicted and described in this Report for compliance with the Grant of Development Rights, Conservation Restrictions, and Public Access Easement, about to be executed. I affirm that VLT staff visited this property and 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.

VERMONT LAND TRUST, INC.

By: _____
Its Duly Authorized Agent

Date

STATE OF VERMONT
_____ COUNTY, ss

At _____, this ____ day of _____, 2021, **CHRISTINE MCSHEA**, duly authorized agent of the **VERMONT LAND TRUST, INC.**, personally appeared and she acknowledged this instrument, by her sealed and subscribed, to be her free act and deed and the free act and deed of the **VERMONT LAND TRUST, INC.**

Before me, _____
Print Name:
Notary Public, State of Vermont
Commission No:
My Commission Expires: 01/31/2023