

Bristol Town Administrator

From: Kristen Underwood <southmountain@gmavt.net>
Sent: Tuesday, November 13, 2018 9:58 AM
To: Bristol Town Administrator
Cc: Carolyn Dash; Dave Henderson; davidr1946@gmail.com; Katie Reilley; Ken Johnson; Pete Diminico; durand@gmavt.net; Richard Butz; Stapleton Jim
Subject: Fuller parcel on South 116 Rd
Attachments: Fuller Lands.docx; Proposal for Paul Fuller River Corridor Easement Acquisition.pdf

Hi Valerie,

At its Nov 8 meeting the Conservation Commission voted unanimously to ask for up to \$2,000 for an appraisal of a 14.7-acre piece of the Fuller parcel located at 1525 South 116 Rd which has previously entered into a River Conservation Easement. (see attached figure). This parcel directly abuts the town-owned Saunders River Access along the New Haven River and has been recently managed as a restored floodplain and riparian buffer to lessen flooding along the river and to reduce erosion and associated water quality impacts to the river.

Following Paul Fuller's passing in January of this year, the Fuller property is now being managed by Paul's brother and executor of the estate, Charlie Fuller. The Conservation Commission has been involved in informal discussions with Charlie Fuller over the past few months about the possibility of these 14.7 acres being sold to the Vermont River Conservancy (using public / private funds) and subsequently turned over to the Town of Bristol – in a process very similar to the Town's acquisition of the Saunders River Access.

The Bristol CC would like to request time on the Nov 19 meeting agenda to discuss this possibility with the Selectboard. If the SB would like to pursue this process, the next logical step would be securing an appraisal of the value of these 14.7 acres. The value of this land will likely be reduced due to the conditions of the River Corridor Easement which has restricted development rights. Also, much of this land is located within the FEMA floodplain.

I have attached a summary document outlining pertinent history of the parcel and our reasons for proposing town acquisition of these 14.7 acres.

I would be glad to attend the Nov 19 meeting to further explain our proposal.

Thanks,

Kristen

Kristen Underwood
South Mountain R&CS
2852 South 116 Rd
Bristol, VT 05443
802.453.3076
southmountain@gmavt.net

Paul Fuller River Corridor Easement – Bristol Flats South

Why Town Purchase?:

- **Invest in the town's stormwater infrastructure.** In-perpetuity protection of this river corridor will offer greater flood resiliency for the community in this area prone to overtopping during floods. A future forested buffer in this river corridor will help to dissipate flood energies and trap sediment. If the river corridor reverts to crop or hay field, the filtering and attenuation role of this land area will be reduced.
- **Expand lands in public use with access to the New Haven River.** Town purchase of the river corridor would enable public access. Under the current River Corridor Easement there is no public access, since this was Paul Fuller's choice; if the land were to be purchased by the Town, the easement could be revised to allow for public access.
- **Protect the river corridor in perpetuity.** Under a current agreement with USDA, the landowner would be within their rights to revert the newly-established shrub/tree buffer to crop land or other agricultural use at the end of their 15-yr Conservation Reserve Program (CRP) contract with USDA (est. 2027) – *Update 11/2018: this CRP lease was legally terminated in 2018, upon the passing of Paul Fuller – so conversion to agricultural use could happen at any time (outside a 50-foot buffer along the river bank).*
- **Enable additional public and private resources to enhance riparian buffers.** Some die-off of the newly-planted buffer has occurred during drought conditions in 2017 and 2018, and with competition from invasives, particularly Japanese Knotweed. VRC and partners are engaged in yearly efforts to manage the Japanese Knotweed with grant funding and local donations (Lake Champlain Basin Program, New Haven River Anglers Assoc, Bristol Conservation Reserve Fund). Additional funding sources could include UVM Extension or VTANR grants through the Otter Creek Conservation District.
- **Enhance wildlife corridors.** The river corridor is contiguous with, and downstream of, the town-owned Saunders River Access (which also has a River Corridor Easement stewarded by Vermont River Conservancy). Together, the parcels comprise 54 acres and 3,800 feet of forested river frontage. Expanded buffer widths on the Fuller parcel enabled by town purchase (and continued buffer enhancements) would provide additional connected riparian habitat for birds and mammals.
- Proposal is consistent with goals and policies expressed in the Bristol Town Plan (p.46):

- “Bristol will conserve and protect natural resources, scenic resources, historical assets, recreational assets and wildlife assets that provide a significant benefit to the general public.”
- “Bristol will identify strategies to begin reducing risks associated with development along the New Haven River in areas of erosion hazard.”
- “Encourage management of natural resources for benefit and enrichment of the community...”
- “Evaluate opportunities to conserve lands with high natural resource value, especially those adjacent to town-owned or already conserved properties.”

Physical attributes:

- 14.7 acre river corridor easement completed in July 2013
 - 6.3 acres of intact forested buffer
 - 8.4 acres of previously cropped area, taken out of agricultural production in 2012 and planted with native shrub and tree species with funding from USDA Farm Service Agency (Conservation Reserve Program) enhanced by additional funding from Vermont Agency of Agriculture (Conservation Reserve Enhancement Program)
- 1,848 feet of frontage along the New Haven River.
- Land flooded substantially in June 1998 (500-yr storm), October of 2010 (25-yr storm) and again in August 2011 (TS Irene, a 100-yr storm on the New Haven River).
- Field has been overrun by high water in several smaller events since 2010, including July 1, 2017 (approx 5-yr storm).

River Corridor Easement completed in 2013 (In Perpetuity)

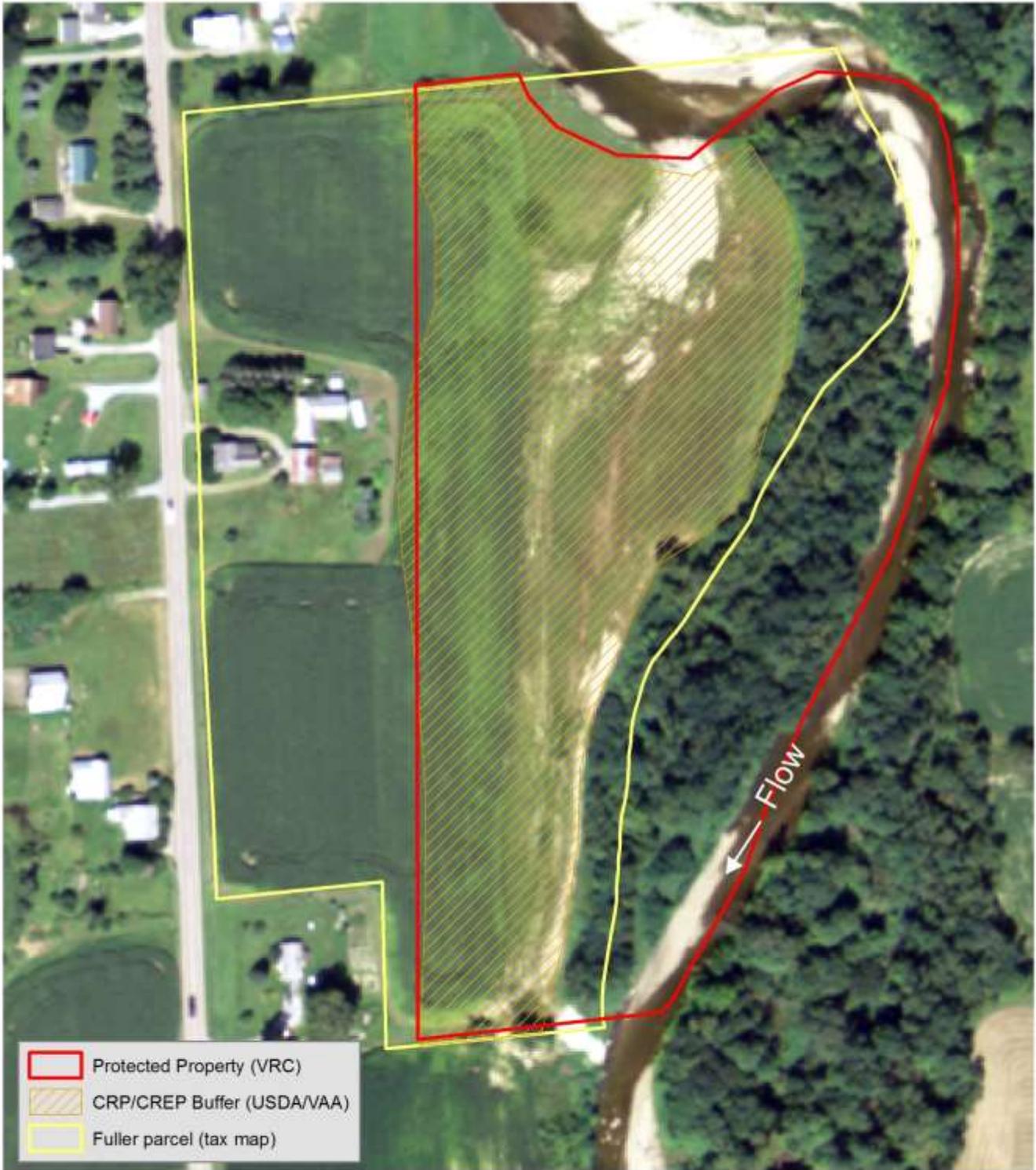
- 14.7 acre river corridor easement, including 6.3 acres of intact, mature forested buffer, and 8.4 acres of newly-planted buffer on former corn field eroded in 2010 flood
- Paul Fuller (Estate) retains ownership of the land.
- Vermont River Conservancy stewards the easement, under which Paul Fuller transferred development rights and rights of channel management to the Vermont River Conservancy
- The easement does not include public access.
- River corridor protection leads to:

- Improved flood resiliency – reduced erosion losses
- Improved water quality
- Improved instream and riparian habitats
- Connected wildlife corridor

CRP / CREP Agreements signed in 2012 (15-year lease)

(Update 11/2018: This lease with USDA FSA was terminated in the summer of 2018 upon passing of Paul Fuller earlier that year - as is legally permissible)

- 8.4 acres of former corn field eroded in 2010 flood were planted with native shrubs/trees under a Conservation Reserve Program (CRP) agreement between the landowner and USDA Farm Service Agency, enhanced by additional funding from Vermont Agency of Agriculture (CREP). This agreement includes a 15-year lease with annual payments to maintain the forested buffer.



-  Protected Property (VRC)
-  CRP/CREP Buffer (USDA/VAA)
-  Fuller parcel (tax map)

VRC easement: 14.7 ac
 CREP buffer: 8.4 ac
 Tax parcel: 17.9 ac



0 50 100 200 Feet

Fuller Lands

1525 South 116 Rd, Bristol, VT

LAT/LON: 44.107277 / -73.095961
 Base Map: August 2011

Map prepared by K.Underwood,
 Bristol, VT, based on data provided by
 Vermont River Conservancy,
 Town of Bristol, and landowner.
 Boundaries are approximate only.

Not a Survey
 Map for Planning Purposes only