

Mayo Farm Management Plan

Town of Stowe Vermont

Adopted by the Stowe Selectboard

March 25, 2013



Photo courtesy of Stowe Land Trust

MAYO FARM MANAGEMENT PLAN

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Management Plan text is presented in 12-point Times New Roman.

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This Management Plan is divided into four sections.

Section A contains a brief executive summary.

Section B presents a brief history of the Farm.

Section C presents land management principles and use guidelines for Mayo Farm.

Section D presents processes for changes to the land and amendments to this Plan.

Related documents on file with the Director of Planning

- A. Mayo Farm Conservation Easement
- B. Statement of Objectives and Management Plan for Mayo Farm Events Field
- C. Stowe Zoning Board of Adjustment Approval for the Community Events Field
- D. State of Vermont Act 250 Land Use Permits (1995, 2008 & 2012)

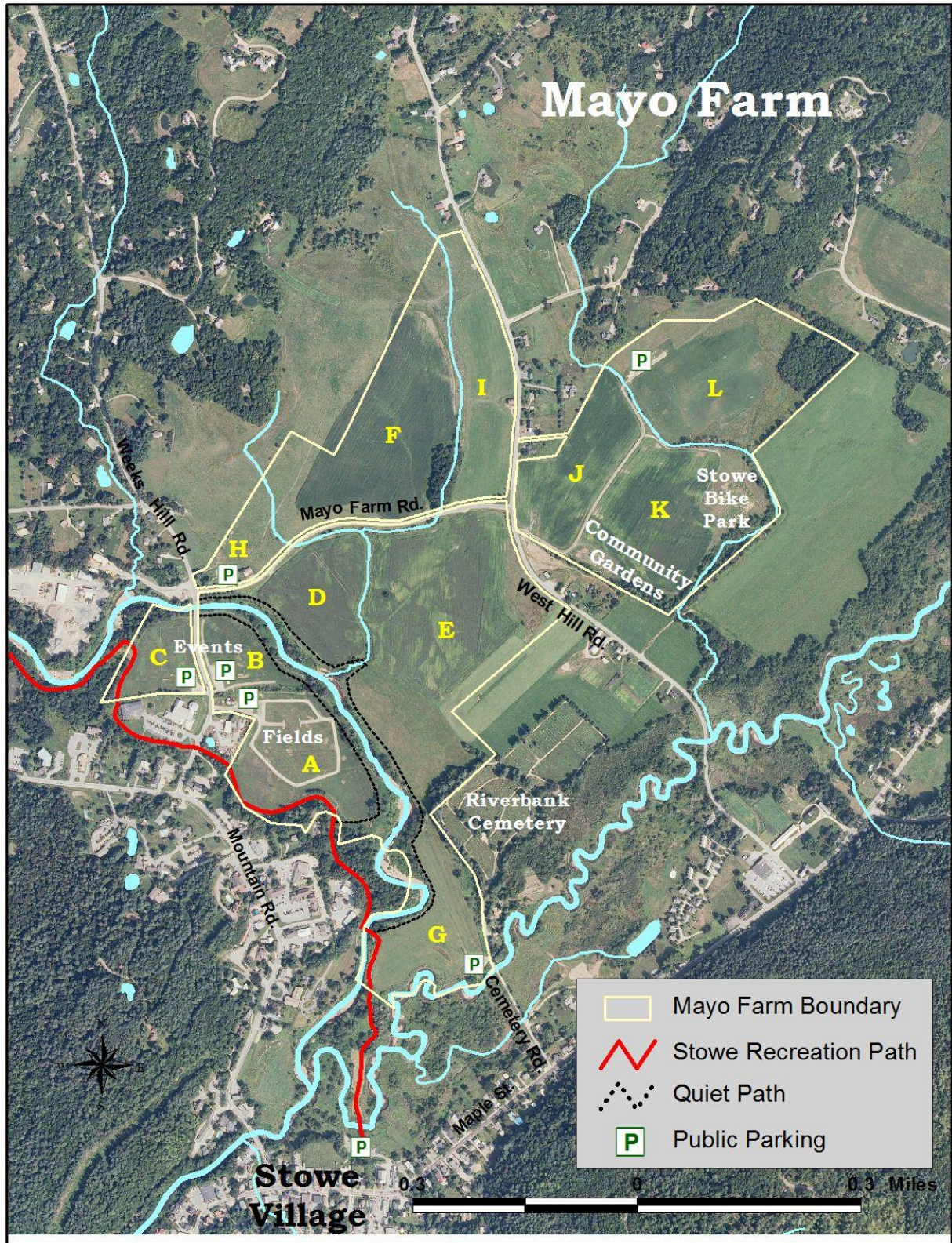


Figure 1 Mayo Farm

Mayo Farm Management Plan

A. Preface

This is the Management Plan for the 235 +/- acre parcel of land owned by the Town of Stowe known as Mayo Farm. The Farm is an important open space, agricultural, recreational, cultural and municipal resource within Stowe.

1. Executive Summary

1.1 Purpose

The purpose of this Management Plan is to provide a framework through which the Farm's conservation values can be preserved and various uses managed. More specifically, it is designed to ensure the land is managed consistent with the conservation, agricultural, and recreational purposes specified in Mayo Farm Conservation Easement held by Stowe Land Trust, as well as to manage the process of allowing members of the Stowe community to suitably utilize this community resource for various purposes.

This Management Plan is to be used in conjunction with the Mayo Farm Conservation Easement. While this plan makes a number of recommendations and requirements regarding uses and management practice, the definitive governing legal document is the Conservation Easement. Under no circumstances can uses of the Farm conflict with its terms. Portions of the easement have been incorporated into this plan for ease of reference.

1.2 Rationale for the Conservation Easement and Management Plan

Given the importance of Mayo Farm to the Town, and the use demands put upon it by various interested parties, a management plan is certainly necessary. Evidence for this lies in the first 12 years the Town owned the Farm, during which there was only an interim management plan in place. During this period, a number of local organizations, interested groups and advocates proposed various uses for the Farm, sometimes competing, sometimes compatible, on different portions of the Farm. At times there was a fair degree of conflict, with different groups working at cross purposes. The absence of an officially adopted management plan did not serve the community well.

The underlying reason for this state of affairs was an inadequate and imprecise expression of the purposes and intents of the Town's acquisition of the Farm in 1989, and related permitted and restricted uses of it. The 1989 deed conveying Mayo Farm to the Town, the main governing legal document at the time, proved inadequate in providing a meaningful legal framework or guidance upon which decisions could be made, especially in light of the Farm's growing importance as a Town-owned land resource. Hence the Conservation Commission, with the support of the Selectboard, deemed it necessary to work towards creating a new governing legal framework in the form of a conservation easement, as well as a management plan.

1.3 The Conservation Easement

After considerable work and debate on the part of the Conservation Commission, Selectboard and various local groups interested in Mayo Farm, language for a conservation easement for the Farm was developed. At the March 5, 2002 Town Meeting, Stowe voters approved a Grant of Development Rights and Conservation Restrictions for Mayo Farm, referred to herein to as the *conservation easement* or simply *easement*. Stowe Land Trust holds the conservation rights and development restrictions conveyed by the easement. Stowe Land Trust has a legal obligation to enforce those rights.

The easement establishes certain conservation and management purposes and, permitted and restricted uses for Mayo Farm and binds the Town to these for the 25-year term of the easement. The easement went into effect in August 2003.

The easement calls for development of a management plan and specifies that the Farm be managed consistent with the plan. The management plan is to be written by the Conservation Commission and is subject to approval by the Stowe Selectboard.

1.4 Conservation Values and Use Management Objectives

The primary management objective for Mayo Farm is to ensure the conservation of open green space and certain agricultural, recreational and public access uses as articulated in the statement of purposes within the conservation easement. These should be achieved in a manner that protects the land's natural, scenic, and aesthetic values.

The secondary management objective is to provide opportunities to various community groups to use portions of the Farm for various purposes. For management purposes, the Farm is delineated into a number of land zones. A hierarchy of use priorities is established for each zone. The use management philosophy for Mayo Farm is one of shared-use and multi-use. That is, where and when not in conflict, various user groups should share portions of the Farm upon which the differing uses are permitted.

1.5 Parties

Section 12 entitled Responsible Parties contains a description of the parties that have a role relative to this Management Plan.

B. History of the Farm and Conservation Easement

2. History of Mayo Farm

The 235-acre Mayo Farm is located adjacent to Stowe Village. The property contains prime agricultural soils and consists primarily of meadows and fields bisected by Town roads and the West Branch of the Little River. The open, green space of the property provides expansive vistas of the Worcester Range to the east, Camel's Hump and the Stowe Village to the south, and Mount Mansfield to the west. The Farm is considered by town residents to be one of the most important properties in Stowe for maintaining the beauty and unique rural Vermont character of the village, and strong sense of place for community residents.

The property has frontage on West Hill Road, Weeks Hill Road, the West Branch of the Little River, and Mayo Farm Road, which was constructed after the Town's purchase of the Farm. The Farm is fairly gentle in topography, ranging from 700 to 740 feet. The property has been surveyed and a survey plat is recorded in the Stowe Land Records. Exact meets and bounds are on file with the Town of Stowe.

2.1 Mayo Farm Before Town Purchase

Prior to Town purchase of the Farm, Town records indicate the land had been farmed for at least 130 years:

- Walling's 1859 Map lists H.F. Town as an early owner of the Farm.
- Beer's 1878 Map lists O.J. Benson as owner of the Farm.
- Child's Business Directory (1883-1884) states that Orlando J. Benson owned a dairy with 10 cows, a sugar orchard with 500 trees, and was a farmer with 130 acres.
- Beer's Map appears to list the carriage barn on West Hill Road as part of the Charles B. Parker property, with the Parker residence directly east across the road. Child's Business Directory states that Parker was a farmer with 160 acres of farmland, 50 acres of pasture-land, 30 dairy cows, and a sugar orchard. The carriage barn is the only remaining structure of the Parker farm.
- According to Town records, the Mayo family purchased the initial portion of the Farm on November 14, 1925 from Lewis Latuch.
- Additional portions were purchased in January 1936 and December 1949 from Dana and Amanda Dubois and Andre Leriche, respectively. The farm structures were altered to support a large dairying operation in the twentieth century.
- The Mayo family continued to utilize the Farm for dairying until 1986. According to the U.S. Department of Agriculture, the Mayo family applied for the federal Whole Herd Buyout (WHB) Program in March of 1986. Their dairy cows were

sold in December of 1986, after which the family received federal support for not using the Farm as a dairy operation for a five-year period of time. In December 1991, Mayo Farm's participation in the WHB Program was completed, and the Farm was "released" from the Program. After the Mayo family stopped dairy farming, they used the buildings for pig farming and they used 2-3 acres of land for storing and selling firewood.

2.2 Mayo Farm at the Time of Town Purchase

After the Mayo family stopped using the Farm for dairying, the commercial potential of the land, the outstanding views from the land, the extensive road frontage, the substantial river frontage, and the proximity to Stowe village attracted the attention of many potential developers. Rumors abounded about possible condominiums, a golf course, a commercial horse farm, and other potential developments. Public concern about loss of the prime agricultural land and of the expansive mountain views grew.

These circumstances created an interest on the part of community leaders to attempt to conserve the Farm. The newly formed Friends of Stowe Conservation Inc., known commonly as Stowe Land Trust, and the Stowe Conservation Commission took an interest in conserving the Farm. After extensive public discourse about development pressures on, and the merits of public ownership of the Farm, Town voters approved the purchase of Mayo Farm for conservation, agricultural and public purposes at a Special Town Meeting held on September 27, 1989. The transaction was facilitated by Stowe Land Trust, to which the Farm was first conveyed and then subsequently conveyed to the Town. At that time of purchase, the Farm was the largest parcel of land ever purchased solely by a Vermont municipality for such purposes.

The deed conveying the Farm from Stowe Land Trust to the Town of Stowe is a governing document to which the Town remains bound. The covenants contained within the deed established some guidelines for management and use of the land. Specifically, the deed states (bold added):

...By acceptance of this deed, the Town of Stowe undertakes and covenants to abide by the commitments stated in the above-said Ruling of the Vermont Department of Taxes No.89-10 dated July 5, 1989 that the Town will maintain the lands herein conveyed primarily as **open green space** and will continue to use it primarily for **agricultural purposes**, and that it will abide by the commitment stated in the Stowe Selectmen's Bonding Resolution dated August 21, 1989 concerning the acquisition of the subject lands: for **conservation for public purposes**. And in accepting this deed, the Town further undertakes that any and all actions which it may take with respect to these lands shall take into account advice and counsel from the Town residents, and, in appropriate cases, make them subject to advance approval by the Town voters at Town Meeting. It is likewise recognized that this purchase is subject to Title 24 Vermont Statutes Annotated Chapter 118 Section 4506, as it may be amended, which presently reads as follows: "Disposition of Property. Lands, rights, or other property acquired by a municipality under this chapter shall not be sold or diverted to uses other than conservation or

recreation except after approval by an affirmative vote of the voters at the annual meeting...

When the Town purchased Mayo Farm, numerous farm buildings were located on the property including a farmhouse and attached barn, a separate dairy barn and attached silo, and more than 10 smaller outbuildings and pole sheds. The Farm was described by one local historic preservation enthusiast as “a vernacular Vermont farmstead remarkably uncelebrated yet so essential to our pastoral landscape.”

2.3 Changes to Mayo Farm after the Town Purchase

The deed conveying Mayo Farm from Stowe Land Trust to the Town contains language that requires the Town to seek the advice of Town residents on matters relating to Mayo Farm.

And in accepting this deed, the Town further undertakes that any and all actions which it may take with respect to these lands shall take into account advice and counsel from the Town residents, and, in appropriate cases, make them subject to advance approval by the Town voters at Town Meeting.

This has generally been interpreted to mean that any proposal to create a new use of the Farm or significantly alter an existing use requires approval by Town voters. Throughout the period the Town has owned Mayo Farm various proposals relating to the Farm brought forth by various local groups have been put before Town voters.

Major issues upon which votes have been taken include:

- Establishment of, and issues surrounding, the community events field.
- Proposal to use the homestead area for various municipal and community purposes.

The table below lists the dates, issue at hand and outcomes for each of the votes.

Date	Issue	Outcome
Sept 27, 1989	Purchase of Mayo Farm	Yes
March 5, 1991	Allow spreading of municipal sludge on Mayo Farm fields	Yes
March 5, 1991	Creation of Mayo Farm Road	Yes
March 5, 1991	Establishment of Community Events Field	Yes
March 7, 1995	Expend \$68,000 to pave Mayo Farm Road (Floor)	No
March 7, 1995	Expend \$15,000 to restore Parker Barn (Floor)	No
March 7, 1995	Expend \$15,000 to develop plan for creation of self-sustaining agricultural operation on the Mayo Farm (Floor)	No

Date	Issue	Outcome
March 5, 1996	Authorize Selectboard to allow for renovation of Mayo Farm House and Barns for purpose of operating an economically sustainable agricultural center using no taxpayer dollars (Australian Ballot)	Yes 656 No 377
March 5, 1996	Authorize Selectboard to create an unpaved path on both sides of the West Branch on the Mayo Farm for a cost not to exceed \$10,000 (Australian Ballot)	Yes 802 No 238
March 4, 1997	Authorize Selectboard to lease a portion of the Mayo Farm to Stowe Farm Inc. (Australian Ballot)	Yes 345 No 609
March 4, 1997	Authorize Selectboard to remove any or all of the buildings within the Mayo Farmstead complex (Australian Ballot)	Yes 653 No 266
March 4, 1997	Appropriate \$60,000 to pave the Mayo Farm Road (Australian Ballot)	Yes 631 No 326
March 3, 1998	Authorize Selectboard to reconstruct the Mayo Farm Barn Complex and utilize an area not to exceed 2.5 acres to house the Stowe Highway Department including construction of a new highway garage (Australian Ballot)	Yes 620 No 766
March 2, 1999	Authorize Selectboard to allow portions of the Mayo Farm as athletic fields (Australian Ballot)	Yes 940 No 99
March 7, 2000	Approve use of approximately 2.5 acres of adjacent Mayo Farm land for the expansion of the Riverbank Cemetery? (Australian Ballot)	Yes 1186 No 342
March 7, 2000	Authorize relocation of the Mayo Farm Community Events Field from its current location to the field to the south of the Mayo Farm Road ..., provided that approval be conditioned [on] the following items: ... (Australian Ballot)	Yes 872 No 512
March 6, 2001	Bond for \$250,000 to relocate the Mayo Farm Events Field as previously approved by vote on Article 6 at the 2000 Annual Meeting ... (Australian Ballot)	Yes 454 No 805
March 6, 2001	In the event Article 10 is defeated (\$250,000 bond), will the Town withdraw authority to relocate the Mayo Farm Events Field as voted on Article 6 (2000) ... <i>and issue bonds of \$130,000 to improve existing field</i> (Australian Ballot)	Yes 382 No 839

Date	Issue	Outcome
March 5, 2002	Authorize Selectboard to have the Town-owned farmhouse on the Mayo Farm torn down (Australian Ballot)	Yes 683 No 348
March 5, 2002	Authorize the Selectboard to convey a “Grant of Development Rights and Conservation Restrictions” on the Mayo Farm unto Stowe Land Trust as set forth in the form of the document referenced herein and dated February 1, 2002 (Australian Ballot)	Yes 666 No 371
March 4, 2003	Approve concept of building a facility for Stowe’s rescue services on the Mayo Farm land designated as the Mayo Farm Homestead ... (Australian Ballot)	Yes 654 No 476
March 2 2004	Shall general obligation bonds in the amount up to \$2,945,000 be issued to for the purposes of 1) constructing a new Rescue Services facility on the Mayo Farm Homestead (\$2,120,000) ... (Australian Ballot)	Yes 300 No 1000

Table 1 - Town votes relating to Mayo Farm

3. Existing Uses of Mayo Farm at the Time of the Easement

At the time the easement was approved by voters in March 2002 (it took legal effect in August 2003) Mayo Farm consisted primarily of open green space. The property was used for: farming; organized recreation such as soccer, football, baseball, and rugby; dispersed recreation such as walking, biking, cross country skiing, and snowmobiling; and organized commercial and community events. Portions of the Stowe Recreation Path were located on the Farm as well as the Quiet Path. Any parking required for these uses occurred on grassy fields, with the exception of a small 10-20 vehicle parking area next to the Farmhouse that had been treated with a small amount of gravel, and a similar sized parking area in the vicinity of the Wade Meadow Barn.

Pre-existing uses of the Farm

There are a number of uses of Mayo Farm which existed at the time the easement went into effect as described below. The lettered field references are depicted on 0 on page 12.

1. Community events located on Fields A, B, C
2. Ball-field recreation on Fields A, B, C and L
3. Small recreational events on Field L
4. Dispersed recreational activities on Field G, especially dog-related
5. Recreation Path on Fields A and C
6. Quiet Path of Fields A, B, D, E, G, H
7. Agricultural uses on Fields D, E, F, I, G, J, K, L

8. Municipal uses within the homestead area, Field H, parking
9. Spreading of municipal bio-solids on Fields D, E, F, I
10. Sewage pump station on Field A

Permanent Structures Located on the Farm at the Time of the Easement

There were a number of structures located on Mayo Farm at the time the easement went into effect.

1. Parker Barn located adjacent to West Hill Road
2. Wade Meadow Barn located adjacent to Weeks Hill Road
3. Sewage pump station located adjacent to Weeks Hill Road
4. Mayo Farm House located in the homestead area, subsequently removed circa 2006
5. Storage barn located in the homestead area

4. The Conservation Easement

During 2001, the Stowe Conservation Commission undertook a process to explore the possibility of subjecting the Farm to a formal conservation easement. The process culminated successfully when town voters voted to authorize the Selectboard to convey a conservation easement for Mayo Farm to Stowe Land Trust on Town Meeting Day, March 6, 2002. The easement is available at the Town of Stowe and Stowe Land Trust offices. Portions of the easement are cited in this Management Plan.

Similar to other conservation easements, the Mayo Farm easement is a grant of rights from a property owner (the Town), to a third party (Stowe Land Trust), and binds the Town to various purposes and restrictions stated in the easement. As the holder of the rights and restrictions conveyed within the easement, Stowe Land Trust has a responsibility to monitor management and use of the property and in the case where there are violations, enforce the terms using various legal means. The term of the Mayo Farm conservation easement is 25 years. At the end of the 25-year period, voters can elect to leave the easement intact by doing nothing, or amend it in some capacity. The easement calls for development of a management plan for the property. The Selectboard tasked the Stowe Conservation Commission to preside over development of the Plan. The Plan is subject to approval by the Stowe Selectboard.

The easement is structured as follows. First there is a preamble that identifies the various parties and describes the property subject to the easement, in this case Mayo Farm. The **statement of purposes** comes next, which contains the overarching principles and goals of the easement. This is followed by a **list of restricted uses**, and notwithstanding the restricted uses a **list of permitted uses**. Finally there are a number of items dealing with enforcement and other such issues.

4.1 Statement of Purposes

The easement contains the following **statement of purposes** for the conservation of the Farm. The statement of purposes is the most important portion of the easement, as everything else in the easement must fit within its framework.

Grantor and Grantee acknowledge that the purposes of this grant are as follows (the "Purposes of this Grant"):

1. As primary purposes, to provide for and conserve open space values, non-commercial, dispersed recreational opportunities, and scenic resources associated with the Protected Property for the initial term of this grant and any renewals thereof.
2. As secondary purposes, to conserve agriculture, soil productivity, wildlife habitat, and public open space on the Protected Property, and the ecological processes that sustain these natural resource values as these values exist on the date of this instrument, for the initial term of this grant and any renewals thereof and as they may evolve in the future.
3. As tertiary purposes, to provide a "Recreation Zone", no larger than 36 acres, for organized, ball-field-style recreation for municipal, public, and/or local sporting leagues, recreational instructional schools, and other currently permitted recreation activities; to provide a "Community Events Zone", no larger than 34 acres, for community and commercial events in accordance with existing permits and practices related to events on the Mayo Farm; to provide a "Cemetery Expansion Zone", no larger than six (6) acres adjacent to Riverbank Cemetery, to meet the future needs of the Town; and to provide a "Homestead Zone", no larger than three (3) acres, to provide parking for Farm visitors and/or a potential growth area for municipal buildings. The zones are depicted on the map entitled "Use Areas for the Mayo Farm" (see Schedule C) and their particular uses are described herein. At which time any zone is no longer required to meet the community's needs with regard to recreation, events, cemetery, or homestead, the zones will be managed to promote the purposes identified in paragraphs 1 and 2 outlined above.
4. These purposes will be advanced by conserving the Protected Property because it currently possesses the following attributes:
 - (a) is located adjacent to the Village of Stowe and is considered by town residents to be one of the most important properties in Stowe for maintaining the beauty, unique rural Vermont character and strong sense of place for community residents;
 - (b) prime agricultural soils, providing land for rotational use to local farmers;
 - (c) an existing Quiet Path and Recreation Path;
 - (d) the possibility for recreational, cultural, and educational uses for the Town, including open space and recreation trails;
 - (e) frontage on West Hill Road, Weeks Hill Road and Mayo Farm Road, all of which are public highways with scenic vistas;

- (f) frontage on the West Branch of the Little River;
- (g) an existing Community Events Field permitted for eight (8) events per year;
- (h) a history of use for organized, ball-field style recreation, as well as unorganized, dispersed recreation.

Grantor and Grantee recognize the Purposes of this Grant and share the common goal of conserving these values of the Protected Property by the conveyance of conservation restrictions and development rights, to prevent the use or development of the Protected Property for any purpose or in any manner which would conflict with the Purposes of this Grant. Grantee accepts such conservation restrictions, development rights and public access easement in order to conserve these values for present and future generations.

4.2 Easement Requires a Management Plan

The Conservation Easement requires the Town to create a management plan as follows:

B. Management Plans

Grantor will, acting by and through its Selectboard, from time-to-time develop comprehensive Management Plans, including updates, revisions and amendments, for the Protected Property, (hereinafter "Management Plans"). The Management Plans shall:

1. Provide for the use and management of the Protected Property in a fashion which is consistent with and advances the Purposes of this Grant; and
2. At a **minimum**, the Management Plans shall identify actions necessary to accomplish the following and shall appropriately balance all the resource attributes of and human uses for the Protected Property:
 - a. allow for continued agricultural use while providing for appropriate public access, trails, and recreational uses;
 - b. identify and address the management needs of the recreational and event uses that may need special or more intensive management focus;
 - c. provide for meaningful recreational links to private and public lands;
 - d. identify opportunities for sustainable wildlife habitat and riparian management activities;
 - e. provide a plan for road and trail use that has minimal impact on water quality and plant, wildlife and aquatic habitat;
 - f. provide for the sustainable use of fish and wildlife resources;
 - g. provide for the identification and protection of natural communities, plant, wildlife and aquatic habitat and other ecologically sensitive or important areas; and

- h. provide for suitable setbacks, buffer zones, and signage so as to respect the privacy of abutting and adjacent owners and discourage trespass on private property.

Prior to the final adoption of each Management Plan, including updates, revisions and amendments, the Grantor shall, acting by and through its Selectboard : (a) secure appropriate public input through the Stowe Conservation Commission, other Town bodies, users of the Mayo Farm and the general public, (b) develop the Management Plan in a timely and responsive manner, and (c) provide Grantee with a copy of each such update, revisions or amendment, as well as a copy of each final adopted Management Plan. If an organized Conservation Commission exists at this time, the Grantor shall designate the Conservation Commission to head the process of preparing said management plan.

4.3 Land Use Zones Designated in the Easement

The easement identifies five land use zones wherein specific uses are permitted within each zone. In addition to zone specific uses, there are several land uses that are allowed on the entire farm, such as public access and agriculture. For management purposes, the Farm is divided into 12 fields, denoted as A, B, C, D, E, F, G, H, I, J, K, and L. Each of the fields is assigned to one or more of the land use zones.

The land use zones and field designations are depicted on 0 below and summarized in Table 2 below.

Field	Land Use Zone	Primary Use	Secondary Uses
A	Community Events Zone	Events	Recreation, Agriculture
B	Community Events Zone	Events	Recreation, Agriculture
C	Community Events Zone	Events	Recreation, Agriculture
D	Agriculture Zone	Agriculture	Dispersed Recreation
E	Agriculture Zone	Agriculture	Dispersed Recreation
F	Agriculture Zone	Agriculture	Dispersed Recreation
G		Dispersed Recreation	Agriculture
H	Homestead Zone	Municipal	Recreation, Agriculture
I	Agriculture Zone	Agriculture	Dispersed Recreation
J	Recreation Zone	Recreation	Agriculture
K	Recreation Zone	Recreation	Agriculture
L	Recreation Zone	Recreation	Agriculture

Table 2 - Land Use Zones by Field

At the time of the signing of the Conservation Easement, Stowe Land Trust prepared a *Baseline Document Report* (BDR). The BDR contains various descriptive information of the Farm as of the date the easement went into effect. The report is available to the public.

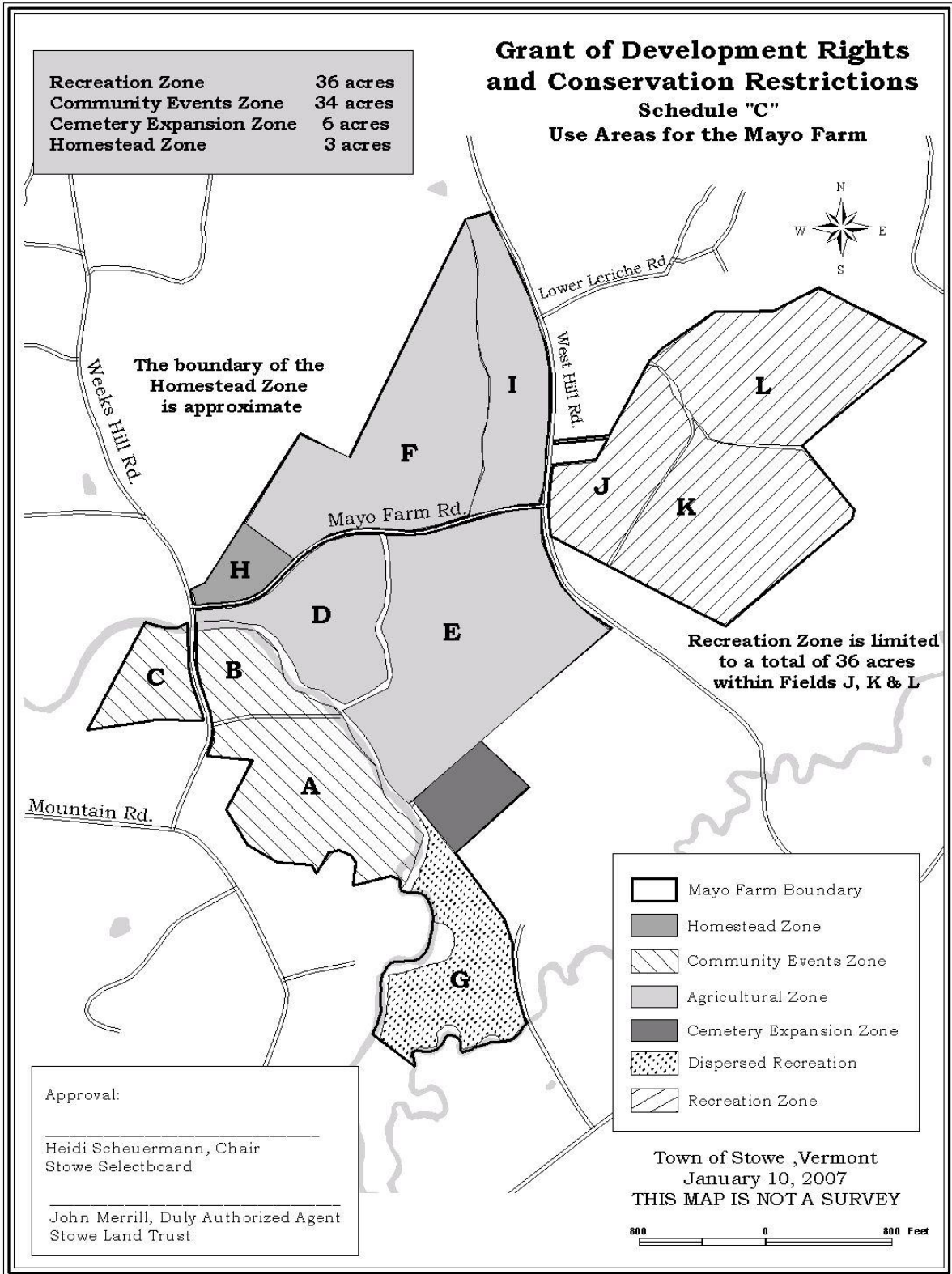


Figure 2 Mayo Farm Field Designations

C. Land Management and Use

This section contains land management principles for the entire Mayo Farm and land management and use guidelines for each of the land use zones. The land management principles are guided by the conservation easement in conjunction with various community values and priorities that have been identified over the years the Town has owned the property. The land management and use guidelines for each of the land use zones additionally take into consideration input from the various user groups who intend to make use of the zones and from abutting property owners who might be affected by the uses. The general public has also been given opportunities to provide input. Also of importance are applicable statutory and regulatory issues to which changes to, and uses of, the Farm must conform.

5. Land Management Principles for the Entire Farm

This sub-section describes general management principles for the entire Mayo Farm.

5.1 Management Framework

The land management principles for Mayo Farm are motivated by the responsibility and obligation of the Town to maintain and use the Farm in a manner that is consistent with the conservation easement, as well as with various community values. As such, it is important to understand what the easement says and how it is structured. The conservation easement consists of three parts, a statement of purposes, a list of permitted uses and a list restricted uses.

1. **Statement of Purposes:** The statement of purposes comes first. The purposes are a description of the reasons for protecting the Farm both in terms of conservation values and uses. All of the purposes are important; however there is a priority hierarchy. The primary purposes are more important than the secondary purposes, and the secondary more important than the tertiary. The statement of purposes is cited on page 9 of this document. Also included with the statement of purposes is a list of attributes the Farm possessed at the time the easement went into effect. The protection of these attributes was a primary motivation for conserving the property.
2. **Permitted Uses of the Property:** The Permitted Uses are a listing of uses of the property and changes to the land that are allowed to take place. These are the things that are allowed, but not required, to take place. They may be restricted to only a portion of the property. However, regardless of what is contained in the permitted uses, the statement of purposes maintains precedence over permitted uses.
3. **Restricted Uses of the Property:** The Restricted Uses are a listing of uses of the property and changes to the land that are prohibited. These are the things that are not allowed to take place on the property.

The easement is designed to protect the identified conservation values while permitting specific uses either on the entirety of the Farm or within the particular land use zones. The permitted uses for each land use zone are more fully described in subsequent sub-

sections. The management framework described in this sub-section gives direction regarding how protection of the conservation values can be achieved within the context of the permitted uses.

5.2 Management Priorities for the Farm

The most important conservation values of Mayo Farm are those contained within the primary and secondary portions of the statement of purposes of the conservation easement. These values are of greatest import for two reasons; firstly because they are included in the primary and secondary portions of the purposes, and secondly because they apply to the entirety of the Farm. These values cannot be compromised.

Based upon these values, the following is a list of the **primary management priorities for the entire Farm**:

- a. Preserve open green space,
- b. Preserve scenic and other aesthetic resource values,
- c. Conserve soil productivity,
- d. Conserve wildlife habitat,
- e. Provide for public open space,
- f. Protect the ecological processes that sustain the above natural resource values,
- g. Provide opportunities for dispersed recreation.

In addition to the aforementioned priorities, the following are **additional management priorities** for the entire Farm. They are derived from values and priorities as expressed by various members of the community and are not expressly contained within the easement. They are to:

- a. Maintain the functioning and appearance of the Farm's working landscape,
- b. Improve natural vegetation,
- c. Improve the West Branch watershed and related water resources, and riparian habitat,
- d. Preserve the historic Wade Meadow and Parker barns,

Equally important within designated Zones within the Farm are the following management priorities:

- e. Provide opportunities for agricultural uses, community event uses, organized team-sport recreational uses, dispersed low-impact recreational uses and municipal uses within the respective zones designated for such uses as articulated within the subsequent sections of this Plan.

5.3 Permitted Uses of the Farm

The **permitted uses** for the entire Farm are:

- a. Provide for non-commercial, dispersed recreational opportunities throughout the Farm where and when not in conflict with active agricultural uses,
- b. Promote agricultural uses,
- c. Provide for construction of agricultural or forestry related structures anywhere on the Farm,
- d. Provide for construction and maintenance of trails and footbridges throughout the Farm for walking and other non-motorized recreational activities

The zone specific permitted uses are:

- e. Provide for agricultural use within the Agricultural Zone and other zones when they are not being so utilized for the zone's primary use,
- f. Provide for community events within the Community Events Zone,
- g. Provide for organized, ball-field-style recreation within the Recreation Zone, and within the Community Events Zone when it is not being used for event purposes,
- h. Provide for municipal uses for public purposes within the Homestead Zone,
- i. Provide for spreading of sludge or other bio-solids on appropriate soils within the Agricultural Zone, in accordance with management practices defined by the Vermont Agency of Natural Resources and
- j. Provide for use of snowmobiles along designated corridors subject to yearly approval by the Selectboard.

5.4 Restricted Uses of the Farm

To ensure the conservation values of Mayo are preserved, the conservation easement and management plan impose the following restrictions on the Farm.

1. No residential, commercial, industrial, or mining use, except as permitted in the permitted uses section,
2. No granting of additional rights of ways or easements,
3. No permanent signs, billboards, or outdoor advertising; except to mark boundaries, directional, informational, interpretive signs, and memorial plaques,
4. No placement or storage of trash; except the temporary storage in receptacles for periodic off-site disposal,
5. No disturbance of the surface, except for agricultural use, recreation path expansion, or as permitted in the Recreation, Events,
6. No subdivision or conveyance of the farm, except 2.5 acres to the Riverbank Cemetery,
7. No motorized vehicles, except for agriculture, landscape management, events, recreation, snow-machining or cemetery use in appropriate zones,

8. No manipulation of natural watercourses, except to enhance water quality and riparian habitat, or for agricultural use, or as permitted in the Recreation, Events, and Cemetery zones.

5.5 Management Guidelines

To best preserve the aforementioned conservation values within the context of permitted uses for the Farm, the following **guidelines** are to be followed.

Conservation values

1. Mayo Farm shall be used and maintained so as to protect the conservation values articulated in section 5.2 of this Management Plan and in the statement of purposes of the conservation easement.

Uses

2. All uses of the Farm shall be consistent with the provisions contained within the conservation easement and shall not compromise the conservation values of the Farm stated therein or in this Management Plan.
3. Proposed **new** uses of the Farm should have significant public interest.
4. When a new use of the Farm is proposed, the Town should evaluate whether other available public, or potentially private, lands are more suitable for the proposed use.
5. In terms of specific uses, user groups should pursue a multiple-use and shared-use approach to planning and utilization of the land. When possible, the primary use designated for a certain zone should be done in such a way that preserves the ability for secondary uses to occur on the same location at times when, for whatever reason, the zone is not being used for the primary use. Such secondary uses should also not compromise the primary use.

Changes to the land

6. All changes to the land shall be consistent with the provisions contained within the conservation easement and shall not compromise the conservation values of the Farm stated therein or in this Management Plan.
7. Proposed land development is subject to approval via the Land Development Approval Process.
8. Minimal changes, interventions, or alterations to the land and subsurface are preferred.
9. Proposed changes to the land made for a particular use should not prevent other uses in the future.
10. Proposed changes to the land should be planned and implemented in a manner that makes it easy and inexpensive to undo the changes and return the land to its previous condition should the use requiring the change no longer be of public interest.

Oversight, review and regulatory

11. The Town shall abide by the process described in Land Development Approval Process to determine whether proposed new uses and changes to the land are permissible.
12. In order to maintain the Farm's rural and working landscape character, the town should consult with the Stowe Historic Preservation Commission when contemplating construction of new structures on the Farm.
13. The Town shall ensure any alterations to the land are consistent with applicable local zoning bylaws, and state and federal regulations.

6. Agricultural Management

This section presents management objectives and guidelines for the Agricultural Zone.

Please note that the Easement or other cited text is presented in 10-point Courier font.

6.1 Conservation Easement

Agricultural use of Mayo Farm is permitted as specified in section II.2 of the conservation easement:

2. The right to establish, reestablish, maintain and use cultivated fields, orchards, and pastures together with the right to construct, maintain and repair fences and access roads for these purposes, all in accordance with sound agricultural practices and sound husbandry principles; provided, however, that Grantor shall obtain Grantee's prior written approval to clear cut forest land to establish fields, orchards or pastures. Grantee's approval shall not be unreasonably withheld if such clear cutting is consistent with the Purposes of this Grant.

Agricultural use is permitted on the entirety of the Farm. However, other uses take precedence in certain defined zones. This Management Plan explicitly permits agricultural as a primary use on Fields D, E, F, I, and as a shared use with dispersed recreation on Field G. Agricultural use of other portions of the Farm is permitted if there is no other temporary or ongoing use of a particular area. See 0 on page 12 for a map of the field designations.

6.2 Existing Conditions

As of 2012, Fields D, E, F, I, J, K and G are leased to a local farmer. Fields D, E, F, I, J, K and G are used for growing crops, predominately corn and hay. Field F is used for cattle grazing.

The Town provides opportunities for interested parties to lease the agricultural fields for agricultural uses. The Selectboard manages the lease process, with consultation from the Conservation Commission and the USDA Natural Resource Conservation Service. Currently the leases last for a 5 year period and contain a number of management practices to which the lessee must adhere.

6.3 Management Practices and Guidelines

6.3.1 Management Objectives

The main purpose of the agricultural zone is to promote agricultural use in a manner that preserves ranked or important agricultural soils.

The Agricultural Zone consists of Fields D, E, F, I. As of 2005, Fields J & K are utilized agriculturally. Agricultural use can continue so long as it does not conflict with

recreational uses. Field G is to be managed as a mixed-use field for primarily for dispersed recreation and secondarily for agriculture.

The Town shall continue to provide opportunities to interested community parties to lease lands within the Agricultural Zone for agricultural purposes. The following agricultural management objectives should be incorporated into the terms of the leases and be implemented by the lessee as a condition of the lease. The Selectboard, in consultation from the Conservation Commission and appropriate State and Federal agencies, is responsible for managing this process. The public is welcome to provide input to the Selectboard regarding agricultural management objectives incorporated into the leases.

The principal objectives are:

- a. To make the land available to local farmers, or other people or organizations with agricultural interests who will actively utilize the land agriculturally.
- b. To maintain and possibly improve the agricultural productivity of land.
- c. To control erosion and soil loss.
- d. To control non-point source pollution from agricultural activities into the West Branch and Little River.
- e. To manage and monitor plant nutrient application.
- f. To maintain land that has been fallow for more than two successive years in an open condition, free from trees and brush.

6.3.2 General Management Practices

To meet the above stated objectives, the Agricultural Zone should be managed according to the following recommended general management practices.

- a. Agricultural use should adhere to the State of Vermont's Acceptable Agricultural Practice Regulations (AAPR) dated April 24, 2006 and as subsequently amended.
- b. To address soil, water, and related natural resource concerns, appropriate portions of the land should be enrolled in the USDA Natural Resource Conservation Service's (NRCS) Conservation Reserve Program (CRP).
- c. Agricultural land should be leased for a minimum period of five years. Agricultural lands may be leased in their entirety to a single entity, or portions to different entities. Leases should be subject to an open public process.
- d. In areas where livestock is grazed, fencing should be maintained at least 25' from stream banks. Grazing should be managed according to a schedule that meets the needs of the soil, water, air, plant and animal resources.
- e. The Conservation Commission should conduct periodic site walks, natural resource inventories, and ensure soil tests are conducted. The Conservation Commission should review all leases during their final year before expiration. Results of the review should be submitted to the Selectboard.

6.3.3 Specific Conservation Practices

The following specific conservation measures should be implemented and practiced. The measures should be incorporated into future lease agreements and their implementation by the lessee(s) made a condition of such leases. The Town may also choose to implement some of the measures. Implementation of any management practices that alter the land are subject to approval by the Land Development Approval Process where applicable.

- a. **Conservation Crop Rotation (Fields D, E, I, J, K):** Crops shall be planted and grown in a planned rotation consistent with Vermont AARP to provide adequate amounts of organic material and nutrient balance in the soil, and to control erosion and soil loss. NRCS can also provide guidance in these areas.
- b. **Mixed Use Field (Field G):** Field G should be managed as hay field, and also allow for opportunities for dispersed recreation.
- c. **Riparian Buffer (Fields D, E, G, I):** The existing 35-foot vegetated buffer adjacent to the West Branch and Little River shall be maintained in grass, trees or shrubs. The buffer serves to intercept sediment, nutrients, pesticides and other materials in surface runoff and reduces nutrients and other pollutants in shallow subsurface water flow. The smaller seasonal watercourse that bisects Fields D & E and F & I may also be protected by a buffer strip in the future.
- d. **Filter Strip (Fields D, E, I, K):** The existing 25-foot strip of perennial vegetation for trapping sediment and other pollutants from runoff or waste water shall be maintained in grass and may be hayed regularly.
- e. **Grassed Waterway (border of Field F and I):** A channel adapted with vegetation should be constructed for the stable conveyance of runoff water. Stone may be required in channel to inhibit erosion.
- f. **Stream bank and Shoreline Protection (Fields D, E):** Use vegetation and/or structures to stabilize and protect stream banks against scour and erosion.
- g. **Nutrient Management (Fields D, E, F, G, I, J):** The lessee shall manage the amount, form, placement, and timing of plant nutrient application so as to not exceed plant needs. Periodic soil testing should be done by a qualified consultant.
- h. **Pasture Brush Management (Field F):** Remove, reduce or manipulate brush species to achieve the desired plant community.
- i. **Structure for Water Control (Field F):** Install appropriate erosion control measures to mitigate head cut erosion.
- j. **Shallow Water Management for Wildlife (Field F):** Construct a small embankment to impound water to create a small pond for wildlife habitat.

6.3.4 The Use of Sludge (Bio-solids) and Manure

The easement establishes "the right to spread sludge and other bio-solids in accordance with Best Management Practices as outlined in the Accepted Agricultural Practices defined by the Vermont Agency of Natural Resources."

The Town shall post appropriate signage along the perimeter of areas upon which bio-solid sludge has been spread to indicate to the public appropriate warnings. The use of the land for spreading of bio-solids is governed by a State of Vermont Act 250 Land Use Permit and by the Vermont Agency of Natural Resources Department of Environmental Conservation through its Solid Waste Management Certification.

6.3.5 Maintenance and Construction of Agricultural Buildings

Currently Mayo Farm has located upon it the so-called Parker Barn located along West Hill Road that is currently used for storage, the so-called Wade Meadow Barn located along Weeks Hill Road that is used to house a municipal pump station as well as provide storage for recreation items, and a three-sided pole barn located along Mayo Farm Road that is used to store Town vehicles and was formerly used for agricultural purposes. The Town should continue to maintain the shed building and utilize it for appropriate purposes. The Town should undertake a process to assess the status and best use of the Parker Barn, and if appropriate, expend appropriate resources to improve or completely renovate the structure, as its condition is continually deteriorating.

The easement provides for the ability to construct any number of new buildings for agricultural use anywhere on the Farm.

III. Permitted Uses of the Protected Property

4. The right to construct, maintain, repair, renovate, replace, enlarge, rebuild and use new and existing barns, sugar houses or similar non-residential structures or facilities, together with necessary access drives and utilities for agricultural and forestry uses, on the Protected Property; provided, however, that (a) the structures are used exclusively for agricultural or forestry purposes, and (b) any new construction, other than normal maintenance and repair, has been approved in writing in advance by Grantee. Grantee's approval shall not be unreasonably withheld or conditioned; provided, however, that the structure or other improvement is located in a manner which is consistent with the Purposes of this Grant.

7. Recreation Zone Management

This section presents management objectives and guidelines for the Recreation Zone.

Please note that the Easement and other cited text is presented in 10-point Courier font.

The **Recreation Zone** is defined in the Statement of Purposes section of the conservation easement as:

... no larger than 36 acres, for organized ball-field style recreation for municipal, public, and/or local sporting leagues, recreational instructional schools, and other currently permitted recreation activities ...

This zone is located on Fields J, K, and L.

7.1 Conservation Easement

In addition to the permitted uses established in the conservation easement for the entire farm, the easement establishes the following additional rights for the Recreation Zone in Fields J, K, and L (quoted directly from the easement):

III. Permitted Uses of the Protected Property

Notwithstanding the foregoing, Grantor shall have the right to make the following uses of the Protected Property:

...

10. Within the Recreation Zone identified on a map entitled "Use Areas for the Mayo Farm" (see Schedule C), Grantor shall have the following additional rights:
 - a. The right to conduct periodic, temporary community and public recreation events on the Protected Property, including team competitions, sports leagues and practices, together with the right to erect temporary tents, temporary sporting equipment (such as bleachers, goal posts, and backstops) and temporary structures for such events but only within the Recreation Zone and as consistent with the Purposes of this Grant and permitted by the Management Plan. At the end of the playing season, the fields shall be restored to the most natural condition feasibly practical.
 - b. The right to construct, maintain, repair and replace storage sheds, safety shelters and sanitary facilities for members of the public using the Recreation Zone, provided that any such improvements shall be consistent with the Purposes of this Grant and permitted by the Management Plan. Such structures shall be sited and constructed to the best of the Town's ability to have minimal visual impact on the landscape or be shielded by trees and/or other landscaping. Construction of any permanent structures shall require approval of the Town at a vote at the annual Town Meeting by Australian ballot.

- c. The right to charge members of the public reasonable fees for admission to and use of the Protected Property, provided such fees are collected only for public, recreation or education events on the Protected Property, (including, but not limited to, children's activities, sports leagues, organized recreation and celebrations). The right to charge organizations reasonable fees for recreational use of a portion of the Protected Property provided that such use does not unreasonably interfere with the access of the general public to the portions of the Protected Property not being used for the event. All fees charged for admission to or use of the Protected Property shall be consistent with the Purposes of this Grant, especially that of public access, and shall be provided for in the Management Plan.
- d. The right to issue temporary use permits or licenses authorizing use of the Recreation Zone, provided the issuance of such permits shall be consistent with the Purposes of this Grant, especially that of public access, and shall be provided for in the Management Plan.
- e. The right to construct, maintain, repair and use unpaved and non-graveled parking areas in the Recreation Zone provided that any such parking shall be consistent with the Purposes of this Grant and permitted by the Management Plan.
- f. The right to construct, maintain, repair and use graveled parking areas in the Recreation Zone provided that any single contiguous graveled parking area shall not exceed one (1) acre in size or comprise over five (5) acres of the Protected Property in total and shall be provided for in the Management Plan.
- g. The right to manipulate natural watercourses and other water bodies as necessary to improve the Recreation Zone for the uses permitted in Section III(10) and as provided for in the Management Plan.
- h. The right to disturb the surface of the Recreation Zone, including, but not limited to installation of subsurface draining, filling, excavation, removal of topsoil, sand, gravel, rocks or mineral, or change of the topography of the land in any manner necessary to improve the Recreation Zone for the uses permitted in Section III(10) and as provided for in the Management Plan. In no case shall surface mining of subsurface oil, gas or other minerals be permitted.
- i. The right to establish and maintain motorized and mechanized access onto the Recreation Zone provided that any such access shall be consistent with the Purposes of this Grant and permitted by the Management Plan.
- j. The right to construct, maintain, repair and use unpaved roads within the Recreation Zone provided that any such roads do not encourage trespass onto abutting private lands and that any such roads shall be consistent with the Purposes of this Grant and permitted by the Management Plan.
- k. The right to construct, maintain, repair and use existing and new municipal buildings within the Recreation Zone, (including, but

not limited to, schools, emergency vehicle garage, and municipal offices), provided that any such improvements shall be permitted by the Management Plan. Construction of any permanent municipal structures shall require the approval of the Town at a vote at the annual Town Meeting by Australian ballot.

7.2 Existing Conditions

The Recreation Zone is within Fields J, K, and L, which are located on the north side of West Hill Road, with access via a graveled entrance just south and across the street from the intersection of Mayo Farm Road and West Hill Road. Fields J, K, and L are adjacent to a residential neighborhood consisting of houses located on West Hill Road, Lower Leriche Road, the Little River housing development, and the Adams Farm. The total land area of the three fields combined is approximately 72 acres, of which perhaps 50 acres are suitable for agricultural or recreational use.

Fields J and K are currently used for agricultural purposes through the agricultural leasing program in place for Mayo Farm. The agricultural use consists of planting and harvesting crops. The fields are not used for pasture. The fields consist predominantly of heavy clay soils.

Portions of Field L were improved during the late 1980's, and utilized into the mid-1990's, by the Stowe Polo Club as a polo field. The Club has since disbanded. More recently the fields were further improved by the Parks & Recreation Department for ball-field recreational use to accommodate soccer, rugby, and other field sports. Field L is now used during the spring, summer, and fall for organized soccer and rugby games; and unorganized, dispersed public recreation such as walking and flying kites.

During the winter, a portion of the Vermont Association of Stowe Travelers (VAST) trail crosses several Mayo Farm fields, subject to approval each year by the Selectboard.

There are presently no permanent structures on Fields J, K, and L. The remnants of the foundation of a barn remain on the northeast corner of Field L.

7.3 Management Practices and Guidelines

The recommended management practices and guidelines for the recreational use of Fields J, K, and L are as follows.

See 0 on page 12 for a map of the field designations.

7.3.1 Condition of Fields J, K and L

At the time of the easement, it was envisioned that Fields J, K and L would be able to satisfy the acreage needs for ball-field style recreational uses. The easement had set an upper limit of 36 acres for the Recreation Zone. There were several established ball fields on Field L, and potential for modest expansion. It was known that portions of Fields J and K, which were in agricultural use, contained heavy clay soils prone to retaining moisture, and thus unsuitable for ball fields. It was presumed that this could be remedied through drainage and grading.

Subsequent to the adoption of the easement, further study in 2008 revealed the presence of significant Class II wetlands on Field K, which had at one time been envisioned as having three to four additional ball fields. Due to the wetlands, Field K can accommodate only one additional field. In 2011 the Town entered into a master agreement covering the entire Farm with the State of Vermont and US Army Corps of Engineers that rendered any form of mitigation to this situation impossible.

7.3.2 Accommodations for Neighboring Homeowners

This portion of Mayo Farm is surrounded by a residential neighborhood. Recreational uses upon it have the potential of creating annoyances for neighboring homeowners. Management and use of Fields J, K, and L should be done in such a manner that seeks to balance the interests and needs of recreational and agricultural uses of the fields, and interests of neighboring homeowners.

7.3.3 Definition of ball-field style recreational activities

For the purposes of this Management Plan, ball-field style recreational activities are defined as team and individual outdoor sporting activities including but not limited to football, baseball, softball, soccer, field hockey, rugby, lacrosse, running, track and field activities, Frisbee and other sporting activities of similar nature.

7.3.4 Permitted and Restricted Uses

Permitted Uses: The following are permitted uses within the Recreation Zone:

1. Organized ball-field style recreational activities involving up to 300 persons including spectators. These shall be scheduled in advance with the Parks & Recreation Department.
2. Organized ball-field style recreational activities involving more than 300 persons including spectators. These shall be scheduled in advance with the Parks & Recreation Department and, consistent with other outdoor events in Stowe involving more than 300 people, approved by the Selectboard under Stowe's Special Events Ordinance.
3. Recreational bicycling and similar mechanized but non-motorized activities is limited to the Stowe Bike Park on Field K. Bicycling for the purpose of transportation to and from areas within the Farm along designated trails and access roads is permitted.
4. Public access for purpose of low impact dispersed recreation and informal, non-sponsored ball-field style recreation in small groups (under 30 persons) subject to space availability. Activities scheduled with the Recreation Department take priority over other activities.

Prohibited Uses: Notwithstanding the permitted uses above, prohibited uses for the Recreation Zone include but are not limited to:

1. Recreational activities that are not ball-field style are prohibited, except for the following: bicycling as permitted above for the Recreation Knoll and low impact dispersed recreational activities, such as walking, dog walking, jogging, Frisbee throwing, kite flying, and calisthenics.
2. Prohibited non-ball-field style activities include but are not limited to archery, use of firearms, dog agility training by groups, activities involving golfing, and paint-ball.
3. Organized or sponsored recreational activities of any kind that have not been scheduled with the Parks & Recreation Department are prohibited.
4. Any activity that involves motorized or mechanized equipment are prohibited, except for the following: vehicles for transporting people to and from the Recreation Zone, vehicles for maintenance and agricultural purposes, snowmobiling along designated corridors and bicycles or similar recreational equipment.
5. Construction of structures unless otherwise explicitly permitted within this Management Plan.
6. Overnight camping.

Priority:

1. Recreational activities that have been scheduled with the Parks & Recreation Department have priority over other activities.

7.3.5 Responsibilities

Responsibilities for management of uses within the Recreation Zone are as follows:

1. The Recreation Commission is responsible for recommending recreational use policies for the Recreation Zone. Such policies must be consistent with both the Conservation Easement and this Management Plan.
2. The Parks & Recreation Department is responsible for implementing established recreational use policies within the Recreation Zone.

7.3.6 Surface Disturbance and Landscaping

Disturbance of the surface and sub-surface in the portion of Fields J, K, and L designated for recreation should be limited to activities needed to improve the fields for the purpose of use as ball fields for sports such as soccer, rugby, and football, and accompanying infrastructure such as an access roads and vehicular parking areas. All disturbed surfaces should be planted as grass or in the case of parking areas and roads, gravel is a possibility. Small areas of dirt or other similar covers are permitted for use by specific recreational activities such as skinning for a baseball infield. Upon completion of any surface disturbance, landscaping should be done to minimize the visual effects of the changes and to ensure the area looks as similar to a natural, grass-covered field as

possible. Any such changes are subject to approval by the Land Development Approval Process.

7.3.7 Buffers

A 150-foot buffer of vegetation is required between any portion of the recreation zone and an adjacent property. The buffer strip may be either managed, that is periodically mowed, or unmanaged, that is, no regular intervention to control natural vegetation processes. This buffer will help create a natural division and screen between the town-owned, publicly used land and the private land owned by abutters. Construction of trails is prohibited within the buffer zones. An exception to this requirement is the access road curb cut at West Hill Road.

Natural vegetation is preferred to delineate property boundaries, rather than installation of signposts and/or fences. Where necessary, appropriate signs shall be placed and maintained along or within the buffer to reinforce a policy of no trespassing onto adjacent private land.

7.3.8 Access Points and Parking

Access by vehicles, pedestrians, and bicyclists to the Recreation Zone of Fields J, K, and L should be located so as to mitigate negative impacts on adjacent landowners.

Vehicle access is limited to one grass-mown and/or graveled road entering from West Hill Road and terminating at one or more clearly defined parking areas.

Any single contiguous graveled parking area should not exceed one (1) acre in size or result in the Town exceeding the maximum amount of five (5) acres in total for graveled parking areas established in the Conservation Easement on the entire Mayo Farm.

The Conservation Commission and Recreation Commission shall be consulted prior to construction of any vehicular access ways or parking areas during the planning phases of such initiatives.

Idling of busses parked within the Recreation Zone is prohibited.

7.3.9 Recreation Paths

Pedestrian and/or bicycle paths are permitted throughout Fields J, K and L, except within buffers, so long as they do not conflict with the primary ball-field style recreational and agricultural uses.

7.3.10 Recreation Equipment and Ancillary Structures (Reference III.10.a in Easement)

Temporarily installed equipment and ancillary structures required for recreation, such as goal posts, soccer nets, benches, non-earth ramps and/or jumps constructed of any material other than dirt for the purpose of bicycling or other sports are permitted. Such equipment and structures may remain in place so long as it is in constant week-to-week use. At the end of a recreational season, all equipment must be either stored within a permanent structure, if one exists, or removed from the Farm.

The construction of permanent goal posts, bleachers, backstops or similar ancillary structures, including ramps and/or jumps constructed of any material other than dirt for the purpose of bicycling or other sports is prohibited.

Temporary bleachers less than six (6) feet in height are permitted. Temporary bleachers greater than six (6) feet in height are prohibited.

Permanent fencing for the purpose of providing a back stop or similar uses is permitted. Such fencing shall be less than six (6) feet in height. Construction of permanent fencing is subject to approval by the Land Development Approval Process.

Permission to erect any temporary structure is subject to approval of the Recreation Department's and must be removed at the end of each sporting season.

7.3.11 Temporary Support Structures

Temporary support structures, such as canopies or tents, are permitted. Such temporary structures are permitted for short periods of time, on the order of days, not weeks.

Notwithstanding the above, a single temporary structure, such as a tent or canopy, is permitted for longer periods of time for the purpose of safety. This provision is applicable only until a permanent structure is constructed for such purposes and is void thereafter.

Permission to erect any temporary structure is subject to the Recreation Department's approval process and must be removed at the end of each sporting season.

7.3.12 Permanent Structure to Support Recreational Uses

Construction of a single permanent structure is allowed in order to support ball-field recreational uses for the purposes of safety, sanitation, maintenance and storage. However, as specified in the Mayo Farm Conservation Easement (Reference III.10.b in Easement):

Construction of any permanent structures shall require approval of the Town at a vote at the annual Town Meeting by Australian ballot.

Construction of any permanent building is also subject to approval by the Land Development Approval Process as well as the Town's normal Development Review Board process.

The permanent structure shall conform to the following:

1. Designed and constructed to look comparable to a former farm building
2. The Historic Preservation Commission should be consulted
3. Located in a spot that is reasonably screened from neighboring homeowners' view by natural topography, trees, and/or shrubs
4. The sanitation component of such structure should include an onsite composting system where practicable.

The use of the permanent structure constructed within the Recreation Zone shall be limited to activities that are either 1) directly in support of approved recreational activities, such as changing of clothes, use of sanitary facilities, provision of shelter due to inclement weather and storage of recreational equipment or 2) indirectly related to approved recreational activities, such as an end-of-season barbeque or other occasional social activity. Any such use of a permanent structure shall not constitute a nuisance to the community. Under no circumstances can the structure be used in support of recreational activities that are not approved by the Parks & Recreation Department, or for activities that are unrelated to recreational activities.

The Parks & Recreation Department is responsible for maintenance of and controlling access to any such permanent structure.

7.3.13 Temporary Sanitation Facilities

At least one (1) temporary sanitation facility should be in place in the Recreation Zone during the warm weather season unless or until a permanent facility is constructed. Temporary sanitation facilities should be located and exterior color chosen so as to mitigate unsightliness.

7.3.14 Signage

The Town may erect one or more permanent signs, directing vehicles, pedestrians, and/or bicycles to the Recreation Zone. Signs should be designed consistent with other, low-impact directional signs already in place on Mayo Farm. Seasonal and/or event-specific signs may be desired by one or more users of the fields. Construction of permanent signage is subject to approval by the Land Development Approval Process.

7.3.15 Restrictions on Hours of Use:

The Recreation Zone is closed for ball-field style or other organized recreational activities from dusk to 8:00 A.M. Associated parking of vehicles and setup may begin at 7:00 AM. Use of the Recreation Zone in early morning hours should be limited to those activities that do not create a disturbance for neighboring homeowners.

The Parks & Recreation Department shall schedule activities consistent with these restrictions.

The Stowe Police Department is responsible for enforcing these restrictions.

7.3.16 Public Access

The general public has access to all portions of the Recreation Zone at any time other than when the Recreation Zone is closed for use, or on ball fields during recreation events as approved by the Recreation Department.

7.3.17 Lights

Night-time lighting is prohibited.

7.3.18 Noise

Amplification of sound, including use of loudspeakers and bullhorns, is prohibited.

7.3.19 Application Process for Scheduling Use of the Recreation Zone

The Parks & Recreation Department is responsible for scheduling and managing all requests for permitted recreational uses within the Recreation Zone. The application process should give consideration to the following:

- a. **Fees:** Fees may be charged for use of the Recreation Zone and/or as admission to a recreation event.
- b. **Trash Collection and Removal:** Appropriate trash receptacles should be maintained in sufficient number to discourage littering. Responsibility for trash removal after organized recreation events should be contractually specified in the Application and Contract for the Recreation Zone. In addition, the Town should periodically check and empty the trash receptacles. Ultimately the Parks & Recreation Department is responsible for management of trash.
- c. **Insurance:** Any liability insurance and indemnification against loss or injury requirements shall be specified in the Application and Contract for Use of the Recreation Zone. The same requirements shall be in effect for the Recreation Zone as are in effect for other Town-owned recreational fields.
- d. **Supervision:** Appropriate supervision is required to ensure reasonable use of the recreation areas.
- e. The frequency, scale and nature of any permitted recreational use that exceeds 300 participants, all or part of which is held within the Recreation Zone, shall be determined by the Stowe Selectboard through the Special Events permitting process under the Town's Special Event Ordinance.

8. Community Events Zone Management

This section presents management objectives and guidelines for the Community Events Zone.

Please note that the Easement or other cited text is presented in 10-point Courier font.

The Community Events Zone is defined in the Statement of Purposes section of the conservation easement as:

... no larger than 34 acres, for community and commercial events in accordance with existing permits and practices related to events on the Mayo Farm ...

This zone is located on Fields A, B and C.

8.1 Conservation Easement

In addition to the permitted uses established in the conservation easement for the entire farm, the easement establishes the following additional rights for the Community Events Zone in Fields A, B and C (quoted directly from the easement):

III. Permitted Uses of the Protected Property

Notwithstanding the foregoing, Grantor shall have the right to make the following uses of the Protected Property:

...

11. Within the Community Events Zone identified on a map entitled "Use Areas for the Mayo Farm" (see Schedule C), Grantor shall have the following additional rights:
 - a. The right to conduct periodic, temporary community and public entertainment events on the Protected Property, including children's activities, concerts, car shows, fairs and celebrations, together with the right to erect temporary lighting, tents and other temporary structures for such events but only within the Community Events Zone and as consistent with the Purposes of this Grant and permitted by the Management Plan.
 - b. The right to charge members of the public reasonable fees for admission to and use of the Protected Property, provided such fees are collected only for public and commercial events, recreation, education or entertainment events on the Protected Property, (including, but not limited to, children's activities, concerts, car shows, fairs and celebrations). The right to charge organizations reasonable fees for event use of a portion of the Protected Property, provided that such use does not unreasonably interfere with the access of the general public to the portions of the Protected Property not being used for the event. All fees charged for admission to or use of the Protected Property shall be consistent with the Purposes of this Grant,

especially that of public access, and shall be provided for in the Management Plan.

- c. The right to issue temporary use permits or licenses authorizing the commercial or non-commercial use of the Community Events Zone only for the number and scale of events permitted as of the date hereof for said zone through existing Act 250 and local zoning rulings.
- d. The right to construct, maintain, repair and use unpaved and non-graveled parking areas in the Community Events Zone provided that any such parking shall be consistent with the Purposes of this Grant and permitted by the Management Plan.
- e. The right to manipulate natural watercourses and other water bodies as necessary to improve the Community Events Zone for the uses permitted in Section III(11) and as provided for in the Management Plan.
- f. The right to disturb the surface of the Community Events Zone, including, but not limited to installation of subsurface draining, filling, excavation, removal of topsoil, sand, gravel, rocks or mineral, or change of the topography of the land in any manner necessary to improve the Community Events Zone for the uses permitted in Section III(11) and as provided for in the Management Plan. In no case shall surface mining of subsurface oil, gas or other minerals be permitted.
- g. The right to establish and maintain motorized and mechanized access onto the Community Events Zone provided that any such access shall be consistent with the Purposes of this Grant and permitted by the Management Plan.
- h. The right to construct, maintain, repair and use unpaved roads within the Community Events Zone provided that any such roads shall be consistent with the Purposes of this Grant and permitted by the Management Plan.
- i. The right to construct, maintain, repair and use existing and new municipal buildings within the Community Events Zone, (including, but not limited to, schools, emergency vehicle garage and municipal offices), provided that any such improvements shall be permitted by the Management Plan. Construction of any permanent municipal structures shall require the approval of the Town at a vote at the annual Town Meeting by Australian ballot.

8.2 Existing Conditions

The Community Events Zone, also known as the community events field, is on Fields A, B and C, which are located on either side of Weeks Hill Road. Access to the fields is via three curb cuts, one for each field. The fields are adjacent to the West Branch of the Little River, and are within the flood plain of the river. A small tributary runs between Fields A and B. A local farmer has noted that the fields have flooded several times during his lifetime.

See 0 on page 12 for a map of the field designations.

Field A is 20.6 +/- acres, bounded on the south by the Stowe Recreation Path, the north by the West Branch of the Little River and to the West by the now Willie's Auto Repair facility. Several sections of the field are poorly drained and become very muddy in wet weather. The field is planted in grass.

Field B is 7.3 +/- acres, bounded to the east by a tributary to the West Branch, the north by the West Branch and the west by Weeks Hill Road. Several sections of the field are poorly drained and become very muddy in wet weather. The field is planted in grass.

Field C is 6.7 +/- acres bounded to the South by the Swimming Hole, the east by Weeks Hill Road and the west by several properties. The field is planted in grass.

Fields A, B and C are currently the most actively used portion of Mayo Farm. They are used for community events, organized ball-field recreation as well as for informal recreational activities. Additionally, the Recreation Path traverses the south western boundary of field A, and the Quiet Path traverses the Fields along the West Branch of the Little River.

The fields are maintained by the Parks & Recreation Department. The fields have been improved during the past ten or so years such that today they are reasonably well suited for event and recreational purposes. Electric power is available via ground mounted pedestals along the eastern boundary of Field A, adjacent to the present day Willie's Garage. There is no water service, though a fire hydrant located on Weeks Hill Road is available for possible use. Currently there are no permanent sanitation facilities within the fields. The so-called Wade Meadow barn houses a pump station for the municipal sewage line. Other sewage line infrastructure is located between the barn and Weeks Hill Road.

Many community and commercially sponsored events have taken place on the community events field in the past several years. Examples include British Invasion, Circus Smirkus, Fall Foliage Craft Show, Fourth of July Celebration, Green Mountain Dog Show, Mutt Strut, and Summer Craft Show.

The fields are also used for organized ball-field style recreation. Examples include adult evening softball, youth soccer and lacrosse.

In 2004, the Town implemented a new scheduling scheme wherein a member of the Recreation Department was tasked with developing a master schedule for use of the fields by various user groups. The Selectboard is responsible for approving the community events schedule and sets fees for various uses.

There has been minimal conflict between the uses. Some consequences of event uses have rendered the fields less suitable for ball-field recreation, such as damage done by vehicular traffic and erection of tents. The extent of the damage is manageable.

8.3 Management Practices and Guidelines

The management practices and guidelines for community event and recreational use of the Community Events Zone are as follows.

8.3.1 Multiple use / Shared use

The Community Events Zone is a multiple use / shared use resource. Activities other than community events are expected to occur on the fields when community events are not taking place. While such secondary uses are explicitly permitted, they should not be undertaken in a manner that compromises the primary use of the fields, community events. Alternatively, event use of the fields and any accompanying improvements should be undertaken so as to allow for the continued availability of the fields for other permissible uses. Communication and coordination amongst the various user groups and Town Boards, Commissions and Departments is essential for this to be successful.

8.3.2 Definition of Community Event Use

Use of the Community Events Zone for community events field is governed by local and state regulations. These include the Town of Stowe Special Events Ordinance, a Town of Stowe zoning permit and a State of Vermont land use permit (Act 250), both issued in 1995. These are summarized below and are more fully discussed in section 8.4

- a. The Town of Stowe Special Events Ordinance (Sec. 3-41 of the Stowe Municipal Code) defines a “special event” as any:

“circus, fair, exhibit, menagerie, entertainment, concert or similar activity ... conducted outdoors or in temporary structures ... [with] more than three hundred (300) participants (including staff, volunteers, attendees, etc)”.
- b. The 1995 Town of Stowe zoning permit allows for 8 “events” to occur per year on up to 30 days of event use per year for the Community Events Field (Fields A, B and C).
- c. The 1995 State of Vermont Land Use Permit refers to a Vermont Agency of Natural Resources Conditional Use Determination that re-states the 8 “events” over 30 days restriction.

There being one applicable local ordinance and two regulatory findings that apply to community event use of the Community Events Zone, a consistent definition of a **community event** is required to ensure clear policies and management for the future.

For the purpose of managing community event use within the Community Events Zone, the following shall apply:

1. A **community event day** is defined as any use of the Community Events Zone involving 300 or more persons.
2. A **community event set up day** is defined as a day when temporarily installed event infrastructure, or other similar activities in support of an event, is either being set up or being taken down.
3. A **community event** is defined as any number of continuous **community event days** or **community event set up days**.

4. A **small-event day** is defined as any use of the Community Events Zone involving fewer than 300 persons participating in activities as described by the special events bylaw for a single day. Ball-field style recreation involving less than 300 persons is not subject to this definition.

8.3.3 Permitted and Restricted Uses

Permitted Uses: The following are permitted uses within the Community Events Zone:

1. The highest priority use of the Zone is for **community events**.
2. The following limits were established in the 1995 Stowe Zoning Board of Adjustment approval for the Community Events Field. These limits are referenced in the Easement and shall remain in effect for the lifetime of the Easement.
 - a. A total of 30 **community event days** are permitted per year.
 - b. **Community event set up days** do not count against the 30 day limit.
 - c. A total of 8 **community events** are permitted per year.
 - d. An unlimited number of **small-event days** are permitted per year. Small-event days were not a part of the original 1995 Zoning Board determination.
 - e. From a scheduling perspective, **community event** use takes precedence over all other uses.
3. **Non-community event use** of the Zone is permitted for activities involving up to 300 persons so long as they do not conflict with community event uses. Permissible non-community event uses include:
 - a. Ball-field style recreation as defined within section 7.3.3 entitled "Definition of ball-field style recreational activities."
 - b. Public access for the purpose of low impact dispersed recreation.
 - c. Construction of a temporary, seasonally removable, outdoor ice skating surface. Such a temporary facility shall not include components such as a roof, walls, boards, nets, stands, associated equipment storage facilities, restrooms, changing areas, employee offices, snack bar or other amenities that might be available at a permanent facility.
 - d. Agriculture.
 - e. All other uses are considered to be event uses.

Prohibited Uses: Notwithstanding the permitted uses above, prohibited uses for the Community Events Zone include but are not limited to:

1. Operation of mechanized or motorized vehicles except for the following: transporting of people and equipment to and from the Zone, parking of vehicles in support of community events, parking of cars for car shows, maintenance, and agriculture.

8.3.4 Responsibilities

Responsibilities for management of uses within the Community Events Zone are as follows:

1. The Selectboard is responsible for reviewing applications for use of the Community Events Zone that qualify as **community events** and for selection and scheduling of the events. Community event use applications are available at the Town's municipal office and include a description of the policies and responsibilities that community event sponsors must follow. The Town should periodically review its use and scheduling policies and processes for the Community Events Zone to ensure they are meeting community needs. The Town should continue to educate the community on how to apply for use of the fields so that they are fairly available to all prospective users.
2. The Parks & Recreation Department is responsible for reviewing applications for, and scheduling of **single-day small community events** and ball-field style recreational use of the Community Events Zone.
3. The Selectboard is responsible for ensuring that **community event** use of the Community Events Zone does not exceed the aforementioned permitted levels. To facilitate this, the Town shall maintain a log of community event use of the fields that contains a record for each event. The event record shall contain the sponsor of the event, dates of the event, the number of event days used, the number of setup / teardown days, an estimate of the daily number of cars involved in the event, and an estimate of the daily number of people involved in the event.
4. Permitted uses notwithstanding, the Town is responsible for maintaining the community event fields in good condition. The Town shall hold responsible any community event sponsor who causes significant damage to the condition of the fields and hold them responsible for returning the field(s) to the condition prior to use.

8.3.5 Infrastructure Improvements

Use of the fields for community events and / or recreation may require certain infrastructure improvements so that the fields are suitable for use. Infrastructure improvements for a particular use should be planned, designed and implemented so as to not compromise the ability of the fields to be suitable for other permissible uses. Any changes to the land are subject to approval by the Land Development Approval Process.

The following is a list of permissible infrastructure improvements.

- a. **Surface and subsurface:** Disturbance of the surface and sub-surface should be limited to activities needed to improve the fields for use as a community events field and / or for ball-field style recreation. All disturbed surfaces should be planted as grass or some other naturally growing green ground cover. In the case of designated parking areas and vehicular travel corridors, use of subsurface gravel is permissible, which may not be able to sustain a naturally growing ground cover.

The Town shall make a reasonable effort to maintain a naturally growing green cover in these areas.

- b. **Drainage:** Storm water runoff should not be funneled directly into the West Branch or a tributary. A retention pond or other such storm water runoff mitigation technique should be employed to minimize impacts upon the West Branch.
- c. **Access within Field A:** A travel corridor around Field A, and similar corridors that bisect the field, are permitted. The purpose of the corridor is to provide for vehicular traffic when conditions of the field warrant limitations.
- d. **Utilities:** Installation of ground mounted pedestals along the perimeter of the fields and / or sub-surface utility boxes in the middle of the fields are permitted. Safety should be an important consideration in the location of the electrical service outlets. Similarly situated water outlets are permitted.
- e. **Sanitation Facilities:** Event organizers are responsible for providing adequate sanitary facilities for each event. Currently the event field has no permanent sanitary facilities.

Construction of any permanent building is subject to approval by the Land Development Approval Process as well as the Town's normal Development Review Board process and Act 250.

Any permitted permanent sanitation structure shall conform to the following:

1. Designed and constructed to look comparable to a former farm building
 2. The Historic Preservation Commission should be consulted
 3. Located in a spot that is reasonably screened from neighboring homeowners' view by natural topography, trees, and/or shrubs
 4. The sanitation component of such structure should include an onsite composting system where practical.
- f. **Access and Parking:** The Town should maintain curb cuts onto the fields, and event organizers implement traffic flow patterns within the fields, that are safe for the general public to use. Construction of new curb cuts onto the fields for safety purposes is permissible.
 - g. **Fencing:** Installation of permanent fencing is permitted in order to control access to portions of the Community Events Zone. The minimum amount of fencing required to achieve reasonable access controls should be employed. Such fencing should be designed and constructed of materials to reflect the lands heritage as a former farm.

8.3.6 Temporary Event Equipment

Installation of temporary structures such as signs, fences, tents and kiosks are permitted within the Community Events Zone. Parking of cars, trucks, campers, and other event related vehicles is permitted. All such equipment and vehicles must be promptly removed after completion of the event.

8.3.7 Temporary Recreation Equipment

Temporarily installed equipment needed for recreation, such as goal posts, soccer nets, and benches is permitted. Such equipment may remain in place so long as it is in constant week-to-week use. At the end of a recreational season, such equipment can be stored within the Community Events Zone but must be removed from obvious view. All equipment must be moved to accommodate community event use at the discretion of the event sponsor. It is the responsibility of the equipment's sponsoring group to remove such equipment. Construction of permanent bleachers and backstops is prohibited.

8.3.8 Hours of Use

The Community Event Zone is available for organized community and recreation events from 8 AM to 10 PM. As established in the 1995 Stowe Zoning Board of Adjustment permit for the Community Events Field, overnight camping for up to 250 camp sites, unless it restricted by a Special Event permit, is permitted for at most 46 days per year.

8.3.9 Public Access

The public has access to all portions of the Community Event Zone except when the Zone is closed for maintenance purposes or during an approved community event. Public access to portions of the Quiet Path may be restricted during an event at the discretion of the Selectboard when issuing a Special Events permit for the event. The general public shall never be prohibited from access to the Recreation Path due to event use.

8.3.10 Lights

Temporarily installed night-time lighting for events and/or parking may be permitted, subject to it not being a nuisance.

8.3.11 Noise

Amplification of sound, including use of loudspeakers and bullhorns, is permitted, subject to it not being a nuisance.

8.3.12 Camping

Overnight camping is permitted only within the context of approved events held within the Community Events Zone. The number of days shall not exceed 46.

8.4 Regulatory and Permitting Issues

As mentioned in the previous section, the Community Events Field is subject to a number of regulatory conditions. Direct citations from the permits are presented in this section.

Town of Stowe voters approved the establishment of an events field at the March 5, 1991 Town Meeting.

8.4.1 Stowe Zoning Board of Adjustment Permit

On March 3, 1995, the Stowe Zoning Board of Adjustment approved the use of Fields A, B and C of Mayo Farm as a Community Events field as follows:

1. The number of events shall be limited to 8 per year.
2. The number of event days to be held shall be limited to 30 per year.
3. The number of overnight camping sites shall be limited to 250 and the use of the property for overnight camping shall be limited to participants of events only.
4. The number of nights for overnight camping shall be limited to 46 nights per year
5. On site parking for spectators shall be limited to the areas shown on the plans submitted with this application, and the total number of vehicles shall not exceed 2100..
6. The implementation of the Stewardship Management Plan as presented be a condition of approval.
7. Hours of operation including but not limited to sound and lighting, shall be no greater than 8:00 A.M. to 10:00 P.M.
8. All parking lot lighting shall be off by 11:00 P. M.
9. A written plan must be submitted to the Selectmen prior to approval of each event covering traffic flow and pedestrian/public safety issues. This plan shall include how traffic will be managed at the intersection of Weeks Hill Road, at parking lot access/egress points, at the Cape Cod Road intersection and at the Route 100/108 intersection in Stowe Village.
10. Any utility service to the site shall run underground from the highway right-of-way.
11. Any change in plans or the proposed use of the property shall be brought to the Zoning Administrator's attention prior to its enactment, for a determination if an amendment is required.

8.4.2 Act 250 Land Use Permit

The State of Vermont District 5 Environmental Commission issued a Land Use Permit on January 23, 1995, which "...authorizes the Town to perform construction of improvements for the creation and use of a community events field..." The Permit was issued subject to terms and conditions contained within a Conditional Use Determination (CUD) 93-345, issued by the Vermont Agency of Natural Resources to the Town of Stowe on January 3, 1995. The Town's application made specific reference to the number of events allowed (8), the number of event days per year (30) and the kinds of improvements to the fields the Town intended to make. The CUD application was made under the assumption that the fields were located within a Class II wetland, which subsequently turned out to be inaccurate.

Relevant portions of the Vermont Land Use Permit include:

...

5. The permittee shall ensure that all events' organizers provide an adequate number of portable toilet facilities. The number of portable units shall be calculated on the basis of one unit for each 250 participants.
6. This permit incorporates all terms and conditions of Conditional Use Determination (CUD) #93-345 which was issued on January 3, 1995 by the Wetlands Office of the Department of Environmental Conservation, Agency of Natural Resources. The District Commission particularly notes all buffer zones specified in the CUD. The CUD is valid until January 3, 1998 by which date the permittee is required to obtain an amended CUD. The District Commission shall be provided a timely copy of all CUD amendment application materials in order to determine under which provisions of Environmental Board Rule 34 any proposed changes to the project as herein permitted will be processed.
7. The Commission specifically retains continuing jurisdiction over the traffic management plans to be implemented for events at the site. Should evidence of unsafe or congested conditions be brought to the Commission's attention it will reserve the right to convene a hearing(s) to attach additional permit conditions as deemed necessary in order to mitigate such impacts on the surrounding road network infrastructure.
8. All outdoor lighting during events shall be installed or shielded in such a manor as to conceal light sources and reflector surfaces from view substantially beyond the perimeter of the area to be illuminated.

On March 21, 2007, State of Vermont Land Use Permit #5L1193-1 was issued for sub-surface drainage improvements to Field A, as well as for the construction of gravel perimeter drives. The improvements were completed in 2008. The project did not include impacting any of the Class 3 wetlands that were delineated on the field and the issue of standing water remaining on the field after heavy rain was not resolved.

On May 11, 2012 Land Use Permit amendment #5L1193-2 was issued for a grading plan that included the filling of several of the Class 3 wetlands on Field A. Approval for this work was also required by the Army Corps of Engineers, which approved the project under the Vermont General Permit on February 2, 2012. As of this writing the additional proposed drainage work has not been started.

9. Homestead Zone Management

This section presents management objectives and guidelines for the Homestead Zone.

Please note that the Easement or other cited text is presented in 10-point Courier font.

The Homestead Zone is defined in the conservation easement as

... no larger than three (3) acres, to provide parking for Farm visitors and/or a potential growth area for municipal buildings.

This zone is located on Field H.

9.1 Conservation Easement

In addition to the permitted uses established in the conservation easement for the entire farm, the easement establishes the following additional permitted uses for the Homestead Zone on Field H:

III. Permitted Uses of the Protected Property

Notwithstanding the foregoing, Grantor shall have the right to make the following uses of the Protected Property:

...

13. Within the Homestead Zone identified on a map entitled "Use Areas for the Mayo Farm" (see Schedule C), the right to construct, maintain, repair and use existing and new parking areas for visitor parking and overflow parking for events; as well as, the right to maintain, repair, renovate, replace, enlarge, rebuild, demolish and use the existing Homestead building and improvements, including drives and utilities normally associated with a dwelling, for municipal use or uses sanctioned by the Grantor and provided for in the Management Plans. Construction of any permanent municipal structures shall require the approval of the Town at a vote at the annual Town Meeting by Australian ballot.

9.2 Existing Conditions

The current condition of the homestead area is as follows:

- a. There is a shed used by the Stowe Highway Department to store vehicles.
- b. There is a graveled parking area used for various purposes including users of the Quiet Path and snow machine riders during the winter.
- c. There is a March of Dimes monument that was installed in 2008.

9.3 Management Practices and Guidelines

The recommended management practices and guidelines for use of the Homestead Zone, Field H, are as follows.

See 0 on page 12 for a map of the field designations.

9.3.1 Management and Use Philosophy

There are many possible uses for the Homestead Zone. It being only 3 acres in size, the Town should utilize the land as efficiently as possible. The Town should require that any proposal to utilize the Homestead area, including but not limited to the construction of a permanent structure should conform to the following:

1. A broad public purpose
2. Consistent with the current Town Plan
3. Other Town-owned parcels should be considered for the use

9.3.2 Master Plan

Prior to the Town considering any proposal to construct a permanent structure upon the Homestead Zone, the Town shall develop a comprehensive master plan for the entire Homestead Zone. The Town will not consider any proposal to construct any permanent structure within the Homestead Zone without a master plan having already been adopted by the Town. The purpose of the master plan is to ensure that the available developable acreage is used pragmatically and efficiently, and that all particular elements of any specific development proposal are in the Town's best long term interests.

The master plan shall contain a site design for the entire Homestead Zone. This includes the purpose and locations for any proposed buildings or land alterations, the location of requisite parking areas and traffic flow, pedestrian access and a landscaping plan. Consideration should be given to future development. The master plan shall be developed either by, or in collaboration with, the Stowe Planning Commission and Stowe Conservation Commission. The master plan requires approval from the Stowe Planning Commission, Stowe Selectboard and an affirmative public vote.

As specified in the Mayo Farm Conservation Easement (Reference III.13 in Easement):

Construction of any permanent municipal structures shall require the approval of the Town at a vote at the annual Town Meeting by Australian ballot.

9.3.3 Agriculture

Given the Homestead Zone's historic context as the site of a farm's homestead, uses with an agricultural theme, such as a farmers market or an agricultural center, should be given preference over other uses.

9.3.4 Architectural Review

Any permanent structure erected within the Homestead Zone should be reviewed by the Stowe Historic Preservation Commission. The Commission should consider the historic context and use of the Homestead Zone as a vernacular Vermont farmstead in their review process. The Historic Preservation Commission may choose to send a letter of opinion to the Stowe Development Review Board.

9.3.5 Building Coverage

The maximum coverage area for permanent structures shall be 1/2 acre = 21,780 square feet.

10. Water Resource and Habitat Management

10.1 Conservation Easement

This section presents water resource management objectives and guidelines for the entire Farm.

Please note that the Easement or other cited text is presented in 10-point Courier font.

The Conservation Easement contains the following regarding water resources and habitat management.

I. Purposes of this Grant and Management Plan

B. Management Plans

d. identify opportunities for sustainable wildlife habitat and riparian management activities;

f. provide for the sustainable use of fish and wildlife resources;

g. provide for the identification and protection of natural communities, plant, wildlife and aquatic habitat and other ecologically sensitive or important areas; and

...

II. Restricted Uses of Protected Property

...

9. There shall be no manipulation of natural watercourses, marshes, wetlands or other water bodies, nor shall there be activities conducted on the Protected Property which would be detrimental to water purity, or which could alter natural water level or flow, except as reasonably necessary to carry out the uses permitted on the Protected Property under this Grant.

...

III. Permitted Uses of the Protected Property

Notwithstanding the foregoing, Grantor shall have the right to make the following uses of the Protected Property:

...

5. The right to use, maintain, establish, construct and improve water sources, courses and bodies within the Protected Property

for uses permitted in this Grant; provided, however, that Grantor does not unnecessarily disturb the natural course of the surface water drainage and runoff flowing over the Protected Property. Grantor may disturb the natural water flow over the Protected Property in order to improve drainage of agricultural soils, reduce soil erosion or improve the agricultural potential of areas used for agricultural purposes, but shall do so in a manner that has minimum impact on the natural water flow and is otherwise consistent with the Purposes of this Grant. The construction of ponds, *wells* or reservoirs shall be permitted only upon the prior written approval of Grantee, which approval shall not be unreasonably withheld or conditioned; provided, however, that such pond, *wells* or reservoir is located in a manner which is consistent with the Purposes of this Grant.

10.2 Existing Conditions

The West Branch of the Little River bisects Mayo Farm. The West Branch commences at the base of Mount Mansfield and terminates adjacent to Stowe Village when it joins the Little River.

Over the years, a number of activities within the river itself and within the watershed have led to its degradation. The channel of the stream has been straightened in many locations. Gravel has been extracted from the stream channel. Development in the form of housing, commercial construction, roads, and parking lots have led to higher storm water volumes.

The consequences of these activities have resulted in increased sedimentation, an unnaturally wide stream bank in certain places, the loss of natural flood plains, increased storm flows leading to bank erosion and nutrient enrichment leading to low dissolved oxygen. Also, there is little shading of the river leading to loss of habitat and spawning areas.

The Town has partnered with the US Department of Agriculture's Natural Resource Conservation Service and the Vermont Lamoille Conservation District in a multi-year program to improve the functioning of the West Branch. The Department of Environmental Conservation has also been active in river improvement activities.

During the summer of 2004, Lori Barg, a water resource specialist, wrote a report entitled "Protecting the West Branch and Its Watershed" for the Town on the much studied West Branch. The report highlights the activities on the river over the past fifty years and makes a number of management recommendations. It contains a reference section of previous reports and related studies.

In 2007, the Lamoille County Planning Commission in partnership with the Vermont Agency of Natural Resources completed the West Branch Corridor Management plan. This plan makes management recommendations to restore the West Branch to a stable condition. The recommendations are combinations of regulatory and non-regulatory policy as well as specific restoration projects that will help the town manage the river corridor in a manner that is beneficial for property owners by decreasing fluvial erosion

hazards. The recommendation for the section of the West Branch through Mayo Farm is to leave the river alone and let it try to return to its more natural, meandering state.

10.3 Management Practices and Guidelines

The recommended management practices and guidelines for water resource and habitat management are as follows.

Implementation of any management practices that alter the land are subject to approval by the Land Development Approval Process.

10.3.1 River and Watershed Restoration

Management of Mayo Farm should take into consideration the recommendations of the West Branch Corridor Management Plan.

10.3.2 Buffer Strips

Vegetative buffer strips along the top of the stream bank provide protection against erosion and filter various pollution causing elements from being carried directly into the stream. The Town should continue to maintain existing buffer strips and establish new ones where there are none.

10.3.3 Stream Bank Restoration

The Town should continue to utilize methods to restore areas where the stream bank has been lost to erosion. These methods include planting of hardy native species along the river bank, installation of bio-revetments and when appropriate, selective use of rip-rap.

10.3.4 Flood Plain

The West Branch has largely been denied access to its natural flood plain due to a deepened stream channel caused by erosion. This causes further erosion, as all of the stream's energy is contained within the channel. Construction of new flood plain areas would diminish the energy of flood waters and reduce downstream erosion. The Town should consider construction of new flood plain areas where practicable.

10.3.5 Wetlands

Protection of existing wetlands is beneficial to the river's health, as wetlands reduce the hydrologic load into the stream channel. The Town should continue to protect all wetlands on the Farm as well as on publicly owned property adjacent to the Farm.

This poses a trade-off with some of the permitted uses of the Farm. The Community Events Field contains small areas of Class 3 wetlands. Installation of drainage and subsurface gravel, crowning and compaction of soils could create better conditions for event use of the fields. As previously mentioned, the Town has state and federal approvals to impact some of the Class 3 wetlands on Field A to do additional drainage work to improve the field for events. In return for the approval to impact these wetlands, the Town has agreed to no further wetland impacts throughout the entire Farm.

10.3.6 Pest Fauna

The Town should periodically monitor the impacts of pest fauna, such as beavers, on the functioning of the West Branch. For the purpose of improving water quality, the Town should consider the use of appropriate population control measures when problems with such fauna persist. The Town should appropriately consult with the Department of Fish and Wildlife regarding such activities.

10.3.7 Habitat

While Mayo Farm contains significant opportunities for the enhancement of wildlife habitat, the intensive use of most of the Farm in the form of agricultural, community events and recreational activities precludes much of what might be possible. With this in mind, the Conservation Commission will seek opportunities to develop habitat within buffer strips, wetlands and other low use areas. Periodically the Conservation Commission will review such potential opportunities and advocate for their realization. The Conservation Commission welcomes input from the public in these matters.

In 2009, the Town hired Lamoureux & Dickinson, a local engineering firm to conduct a Natural Resources Assessment for Mayo Farm. The resources that were examined in the assessment were:

- Wetlands
- Flood Zones
- Fluvial Erosion Hazard Areas
- Agricultural Soils
- Archaeological Sensitivity
- Rare, Threatened and Endangered Species

11. Dispersed Recreation and Trail Management

11.1 Conservation Easement

The conservation easement contains the following regarding public access and trail management.

III. Permitted Uses of the Protected Property

Notwithstanding the foregoing, Grantor shall have the right to make the following uses of the Protected Property:

...

1. The right to use the Protected Property for all types of unorganized, dispersed, outdoor public recreation, (including, but not limited to, walking, bicycling, cross-country skiing, snowshoeing, swimming, fishing, boating, bird-watching, wildlife

observation, hunting and trapping), consistent with the Purposes of this Grant. Use of the Protected Property for snowmobiling and for non-motorized, mechanized recreation such as mountain biking and by animals capable of transporting humans, (including, but not limited to, horses), may be permitted in the discretion of Grantor if such uses are regulated in the Management Plan and are consistent with the Purposes of this Grant.

...

6. The right to clear, construct and maintain trails for walking, bicycling, skiing and other non-motorized recreational activities within and across the Protected Property, as well as benches, picnic areas and informative signs located periodically along the trails, all in a manner consistent with the Purposes of this Grant and provided for in the Management Plan. Snowmobiling may be permitted at the discretion of Grantor.

11.2 Existing Conditions

Currently there are several maintained trails and many dispersed recreational activities that take place on the Farm.

Stowe Recreation Path: The Stowe Recreation Path is a 5 ½ mile paved multi-use recreation trail that traverses the south-western boundary of Fields G, A and C on the Farm.

Quiet Path: The Quiet Path is a 1 ¼ mile mowed grass trail that traverses Fields A, B, D, E, and G along the bank of the West Branch. There is a spur trail that goes from Cemetery Road along Field G adjacent to the Cemetery to the Quiet Path.

The Quiet Path is used to access portions of the West Branch and by walkers, runners, and people walking their dogs.

Dispersed Recreation: Field G is frequently used by people walking their dogs.

The southern border of Field G is a significant Class II wetland through which the Little River flows.

11.3 Management Practices and Guidelines

Mayo Farm is used by a wide variety of people for many purposes. The Town should continue to manage the property to allow people to undertake informal, incidental low impact recreational activities such as walking, jogging, painting, dog-walking and other similar activities.

11.3.1 Quiet Path

The Quiet Path should continue to be maintained as a grass covered trail along the West Branch with use restricted to pedestrian access only. Maintenance should be consistent with practices to enhance the functioning and stability of the West Branch, and also with consideration to adjacent agricultural uses. These practices are specified in the Agricultural Management and Water Resource Management sections.

Public access to portions of the Quiet Path may be restricted during an event at the discretion of the Selectboard when issuing a Special Events permit for the event.

Currently users of the Quiet Path must cross the West Branch in the vicinity of the Homestead Zone using Weeks Hill Road bridge. Use of the bridge poses a safety concern for pedestrians and dogs. Funding for the construction of a pedestrian bridge across the West Branch has been approved in the Town's capital budget and as of this writing is entering into the design and permitting phase. The bridge will also allow pedestrian access from the Community Events fields to the Homestead Zone.

11.3.2 Recreation Path Extension

The community would benefit from the construction of a multi-use recreation path from the present day Stowe Recreation Path to the Recreation Zone. This would allow safe pedestrian and bicycle access to the fields.

11.3.3 Field G

Field G should be maintained as a field for dispersed recreational activities. If practicable, one or two hay cuttings should be permitted on the field.

11.3.4 Snowmobile Trails

Maintenance of snowmobile trails along designated corridors throughout the Farm is permitted.

11.3.5 Cross Country Skiing Trails

Maintenance of cross country skiing trails throughout the Farm is permitted.

D. Changes to the Farm and the Management Plan

These sections describe the parties responsible for management of Mayo Farm, land development on Mayo Farm and review and amendment of the Management Plan.

Section 13 describes the process for land development or construction of permanent buildings upon Mayo Farm.

Section 14 describes the process for updating and amending the Plan.

Section 15 addresses compliance and enforcement to ensure that the Farm is being managed in accordance with the Plan and the conservation easement.

12. Responsible Parties

This section describes the local parties responsible for management of Mayo Farm. Their specific roles are discussed in Sections 13, 14 & 15 as appropriate.

Stowe Selectboard: As the Town's legislative body, the Selectboard has ultimate responsibility for decisions regarding management and use of Mayo Farm, including formal approval of this Management Plan and future revisions to it. The Selectboard also manages community event uses on Mayo Farm.

Town Manager: The Town Manager is responsible for the day-to-day administration of Stowe municipal government.

Stowe Conservation Commission: The Commission serves as advisors to the Town on conservation related matters. Relative to Mayo Farm, the Commission is responsible for preparing and maintaining the Management Plan, and advising various user groups as to its contents, meaning and intents.

Stowe Recreation Commission: The Recreation Commission serves as advisors to the Town on recreation related matters.

Stowe Parks & Recreation Department: The Parks & Recreation Department schedules recreational use on those portions of the Farm designated for recreational uses. It is responsible for maintaining those portions of the Farm that are not in agricultural use.

Director of Planning: The Director of Planning is responsible for overseeing various administrative processes regarding the Management Plan and land use changes on Mayo Farm.

Other Stowe Boards and Commissions: Other town bodies, such as the Stowe Planning Commission, Stowe Development Review Board, and Stowe Historic Preservation Commission have certain regulatory, management and advisory roles relative to Mayo Farm consistent with their statutory powers.

Stowe Land Trust: Stowe Land Trust is a private, non-profit land conservation organization which is the third-party holder of the rights conveyed by the town as specified within the easement.

13. Land Development Approval Process

Any *land development* on Mayo Farm explicitly permitted within this Management Plan is subject to approval using the following process.

Definitions and conditions

- a. The Town of Stowe Zoning Regulations defines *land development* as “*the division of a parcel into two or more parcels, the construction, reconstruction, conversion, alteration, relocation or enlargement of any building or other structure, or of any mining, excavation or landfill, and any change in the use of any building or other structure, or land, or extension of the use of the land.*”
- b. Structures include any type of structure other than temporarily installed tents or temporarily installed small kiosk like structures such as selling booths or portable toilets.
- c. Construction of any permanent structure requires an affirmative vote by Australian ballot at the annual Town Meeting and is subject to Historic Preservation Commission review.
- d. All proposed land development must be consistent with this Management Plan and the Conservation Easement. Any land development that is not explicitly permitted within this Management Plan requires an amendment to the Management Plan as described in section 14. Upon successful approval of an amendment to the Management Plan to accommodate a proposed land development, the proposal must then go through this process.

Land Development Approval Process

1. Any land development that would normally require a zoning permit from the Town of Stowe is subject to this land development process.
2. An interested party shall prepare a written proposal that describes the proposed change or changes to the land and file it with the Director of Planning. The Director of Planning shall then notify the Conservation and Recreation Commissions.
3. The party shall then appear before the Conservation Commission at a duly warned public meeting to discuss the proposal with the Commission(s). The Conservation Commission shall provide information to the applicant as to whether, in its opinion, the proposal is consistent with the Management Plan may be required to. The Conservation Commission shall forward the proposal to Stowe Land Trust for a written determination on whether the proposal is in conformance with the conservation easement. The Conservation Commission may then prepare an advisory position on the proposal to be forwarded to the Selectboard.

4. The party shall then appear before the Selectboard to discuss the proposal. The Selectboard determines whether the proposal may proceed, and the conditions to which the proposal will be subject. The applicant may not proceed with the proposal without approval from the Selectboard.
5. For the construction of permanent structures, the Selectboard shall place the proposal on the ballot for the next annual Town meeting.

14. Management Plan Amendment Process

This Management Plan incorporates the input and guidance of town residents, municipal officials, and users of Mayo Farm. It was initially developed during two-years of meetings and discussions in 2003 through 2005 involving the Stowe Selectboard, Stowe Land Trust, Stowe Conservation Commission, Stowe Recreation Commission, Stowe Recreation Department, farmers, conservationists, neighbors of Mayo Farm, Stowe Area Association, and other stakeholders interested in future management and use of Mayo Farm.

This Plan reflects substantial community deliberation and negotiation about key aspects of the Farm. While it is hoped that most issues concerning future management and use of the farm are adequately addressed in this Plan, it is possible that aspects of the plan might need to be further clarified or amended in the future. The following process for reviewing and possibly amending this Plan is established:

Every five years, the Conservation Commission will organize a public meeting to review the Management Plan. The purpose of this five-year review meeting is to discuss potential updates and proposed amendments to the Management Plan. Notwithstanding this five-year review process, the Stowe Selectboard has the authority to make changes to the Plan at any time, as needed, to address any management issues that may arise over time.

- a. Conservation Commission Mayo Farm Management Plan Five-Year Review Meeting –
 - i. Proposed amendments can be submitted by any interested member of the Stowe community.
 - ii. Proposed amendments should be consistent with the Conservation Easement passed by Town voters in 2002.
 - iii. Proposed amendments should be submitted to the Director of Planning at least thirty days prior to the Conservation Commission’s Review Meeting.
 - iv. Proposed amendments must be specific and refer to the pages and sections of the Plan.

- b. Conservation Commission Recommendations - The Conservation Commission will prepare background information and make recommendations regarding proposed amendments for the Selectboard and the public.
- c. The Selectboard will hold a public meeting to review and decide the proposed amendments.

15. Oversight of Uses, Compliance and Enforcement

Various departments within the town's government share responsibility for ensuring that Mayo Farm is being managed consistent with this Plan and enforcing local ordinances to support the provisions contained herein. The Town relies on various community resources including the Parks & Recreation Department, Zoning Administrator, Selectboard, Police Department and Stowe Land Trust.

15.1 Compliance - Annual Review Meeting

At least once a year, the Selectboard will schedule time on one of their regular meeting agendas to hear public concerns pertaining to the oversight of uses and compliance with the Plan. The purpose of this annual review is to ensure that the Farm is being managed in accordance with the Management Plan.

15.2 Ongoing Compliance

The Planning Director is available to provide information about the Mayo Farm Management Plan and Conservation Easement. If a substantive issue arises, the Planning Director may consult with the Conservation Commission on the Mayo Farm Management Plan and ultimately the Selectboard if necessary. The Planning Director may be contacted at 253-2705.

Stowe Land Trust has a legal responsibility to monitor and enforce the Town's compliance with the conservation easement. Unless otherwise determined by a court, Stowe Land Trust shall be the final interpreter of Mayo Farm Conservation Easement and whether a particular use or activity is permitted by the easement. Stowe Land Trust may be contacted at 253-7221.

The Conservation Commission has an advisory role relative to uses of Mayo Farm. The Commission welcomes community members to engage with the Commission about issues that arise from particular uses of Mayo Farm that in their view are not in compliance with this Management Plan. The Commission will work with community members to understand the issues and possibly identify remedies to particular circumstances. The Commission will work in conjunction with other town departments, boards and commissions to achieve the same.

The Commission meets on a regular basis. Community members can schedule time at its meetings by contacting the Director of Planning.

15.3 Other Departments

For issues related to the scheduling and management of recreational events, the Stowe Recreation Department can be contacted at 253-2264.

If something is not being properly attended to by any of the aforementioned, it can be brought to the attention of the Town Manager by calling 253-7350. If the Town Manager is not able to resolve the concern, it can be brought to the Selectboard's attention by writing them a letter (P.O. Box 730) or requesting time on an agenda through the Town Manager.

15.4 Enforcement

In order to ensure enforcement of key provisions of the Management Plan, the Stowe Selectboard has adopted the Mayo Farm Recreation Zone General Regulations into the Town's municipal ordinances. The Stowe Police Department is responsible for enforcement of the ordinance, as well as other state laws and local ordinances. The Stowe Police Department's non-emergency number is 253-7126 and their emergency number is 911.