

**From:** [Bill Veno](#)  
**To:** [Tim Carroll](#)  
**Subject:** FW: Trail easements  
**Date:** Friday, September 22, 2017 2:41:48 PM  
**Attachments:** [Damroth draft easement Magees Old Field 2017-8.doc](#)

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**From:** Bill Veno  
**Sent:** Friday, September 15, 2017 12:49 PM  
**To:** 'davemvy@aol.com' <davemvy@aol.com>  
**Subject:** RE: Trail easements

Hi Dave,

Attached is the draft easement with the land bank I previously sent you. It is consistent with the offers and conditions of the MVC's DRI decision on your project. The town will have to prepare an easement that is acceptable to them (and also consistent with the MVC and planning board approvals of your lots). I have provided the town with a copy of the land bank easement from which they are welcome to crib.

From my experience with working with Chilmark and the other Vineyard towns on trails, towns easements do not usually include the management or indemnification provisions found in the land bank easements. In fact, Chilmark and the other towns enter into trail management agreements with the land bank to provide those services and surety.

While you will have to work with the town for suitable easement language, I am happy to provide whatever assistance I can to both you and the town in completing the trail easement for recording.

- bv

William (Bill) Veno, AICP  
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**From:** [davemvy@aol.com](mailto:davemvy@aol.com) [<mailto:davemvy@aol.com>]  
**Sent:** Tuesday, September 05, 2017 3:37 PM  
**To:** Bill Veno <[veno@mvcommission.org](mailto:veno@mvcommission.org)>  
**Subject:** Re: Trail easements

Bill, I want to finish the trail easement agreement with you. You indicated I can execute this agreement with the Chilmark conservation commission as opposed to the land bank. Would you please send me the document consistent with the language of my MV commission decision.

I look forward to completing this with you.

Thank you,

David Damroth

Sent from my iPhone

On Feb 1, 2017, at 3:10 PM, Bill Veno <[veno@mvcommission.org](mailto:veno@mvcommission.org)> wrote:

Hello, Mr. Damroth,

It was nice speaking with you at the MVC building yesterday to preview your subdivision plan.

The reason I was aware of the SMF property at the southern end of MaGee's Path and for my interest in the use of one or two of your land's perimeters for people to walk is because the land bank contracts for a portion of my time to do trail planning. I'm not involved with the trails on the land bank properties. Instead, I plan trails linking public lands to make them more accessible to surrounding landowners. This work usually involves working with several landowners until a continuous trail route is secured and can be opened to the public, which sometimes can take many years. This October, I will have worked in this capacity with the land bank for 20 years.

In response to your questions about trail easements and their potential impact, I've attached a template the land bank uses. In addition to stating the rights, responsibilities and limitations of the land bank, the land bank expressly indemnifies the land owner for activities on the trail. Of course, the template is occasionally tweaked to address particular circumstances associated with a property. There are instances where a landowner had the land bank post signs instructing mountain bikers to dismount for a hundred feet when the trail passed by a horse stable to prevent spooking the horses. Another landowner hunts birds and small game; that trail is fenced from his hayfields and pastures and closed off during hunting season.

Please understand that my interest, as well as that of the land bank, is not that the trail easement be granted to the land bank. Rather, the goal is that public rights to use the trail in an appropriate manner are secured by a Town or some conservation organization.

Please call me if you wish to pursue this further or have questions, whether or not it is in conjunction with your DRI application.

I apologize for such a long email and thank you for your attention.

- bv

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