

## **Hanover Conservation Commission Site Visit Rabinovitz property, 14 Elm Road, November 7, 2013**

The Commission and its Trails Committee toured a revised alternate route for pedestrian travel between Wolfeboro Road and Elm Road. Wolfeboro is a Class VI road. Elm Road turns from Class V to Class VI (due to nonmaintenance by the town) somewhere on the Rabinovitz lot. It was stated that the Elm Road trailhead is on the Class V section, but the exact end of town maintenance was not identified.

The tour was led by Scot McGee, attorney for Rabinovitz/Perkins, and Sam Brakely, trail builder. Eric Goldwarg, attorney, and Peter Perkins were also present. The Commission was represented by members Ed Chamberlain, Jim Kennedy, Michael Mayor and Doug McIlroy, staff Vicki Smith, and Select Board liaison Peter Christie. The Trails Committee was represented by McIlroy and John Taylor.

The owners wish to extinguish some or all of the existing public right of way through the property in exchange for a trail easement. They would improve the trail to agreed specifications. As there is currently no visible sign that a continuous right of way exists, it is likely that such a trail would attract new public use.

Brakely has significantly revised the trail route to answer some objections that were raised on a previous site visit about the quality and maintainability of the trailbed, proximity to a neighbor's house, and suitability for skiing. The new route dips down the embankment from Elm Road and crosses a small drainage way, then runs between a fenced horse paddock and the top of the bank of a small brook and floodplain. Thence it crosses the brook and continues along the foot of a wall on the western boundary to Wolfeboro Road.

Initial clearing has been done along the whole 850-foot length of the route. Brakely has proposed solutions to several difficulties met on the way and has submitted an illustrated report that describes them:

*Elm Road embankment.* A stone staircase would give good footing and prevent erosion. A quite elaborate example is pictured in the report.

*Drainage way.* This would be crossed on a clapper bridge with an interesting back story. The bridge, made of massive granite slabs, would certainly be one of the most remarkable man-made features on any trail in town. Each slab would span from bank to bank. Perkins said the stone had been salvaged from the foundation of a former barn on the property and was originally quarried on that very farm. A sturdy wooden bridge is already in place.

*Brook and floodplain.* The presence of black hydric soil indicated that the floodplain can be quite wet. A boardwalk, tentatively specified as 58' long, 5' wide and 30" high would span the entire floodplain. Materials are yet to be specified. The proposed width and height of the boardwalk are taken from the report and were not discussed.

A question arose about a boardwalk's vulnerability to floods. Perkins said he had not seen heavy flooding on the brook. Taylor said that flood pressure can be relieved by designing one or more deck sections to float away in a flood and be retrieved downstream afterward.

*Bog bridge.* The route crosses a seepage area about 60' wide along the base of the western boundary wall. A simple bog bridge has already been installed. Brakely said that he expected to replace it with sturdier and wider materials.

*Stone wall.* The route ends at an unusually handsome wall along Wolfeboro Road. Brakely would not like to breach the wall, an opinion that everyone shared. He has sketched both stone and wood stiles, but he and McGee would prefer to try to get approval from the neighbors to route the last few feet of trail through the corner of their property, where the wall has broken down.

The owners had originally envisioned walking as the only mode of use of the trail. Chamberlain raised the question of catering for other modes, particularly skiing and snowshoeing. No resistance to these uses was expressed, but it was noted that they could affect the design of proposed structures. Goldwarg was skeptical that skiers would come out for such a short trip [slightly under 1/2 mile one way] with no possibility of skiing a closed loop. Beyond skis and snowshoes, Chamberlain mentioned mountain bikes, though he personally prefers not to encounter bicycles on walking trails. McIlroy noted that trading down from the full spectrum of Class VI uses to a trail could become an issue at town meeting.

It was generally felt that the prime benefit of the trail would be improved access to Wolfeboro Road, whose impressive walls, tree line, and view to Ascutney are little known today. The pathway itself is not particularly inviting, however the proposed man-made features—especially the clapper bridge—add interest. In the absence of horses, the dominant impression of the paddock is its utilitarian electric fence. A broad scene of fields and wooded hillsides seen from along the fence is tempered by a full view of the dwelling in the foreground. Low-grade woods with numerous large invasive shrubs dominate the brook corridor. Along the western wall one sees a pleasant view of the neighboring hillside pasture. Scottish highland cattle graze there with a backdrop of pinewoods on one side and the Wolfeboro tree line against the sky opposite. But underfoot is bog-bridged mud.

Brakely and McGee said the electric fence will be moved back to provide safe clearance for the trail and to make room for the trail on top of the bank in a stretch where the temporary route has to dip down toward the floodplain below. Taylor suggested that both the owners and trail users might appreciate some vegetative screening along the fence.

Taylor said that for longevity the paddock section of the treadway should be founded on mineral soil or hardened with an equivalent surface. Brakely said he had found the organic soil layer there to be shallow, so hardening wouldn't be needed.

Aside from the question of modes of use, the biggest concern about the trail is that of long-term maintenance of the boardwalk and bog-bridge—a lot of infrastructure for such a short trail. However, we were repeatedly reassured that the owner intends to build durably and well. Most of the proposed improvements exceed standards that the Trails Committee typically builds to.

The wall at the end of the trail is worth the walk. It was generally hoped (and less generally believed) that the neighbors would grant permission to skirt around it rather than over it.

On the matter of trail width, Chamberlain preferred a narrow treadway. Taylor said the brushed-out width should be greater for skiing than for walking only. McGee said that the easement width has yet to be proposed. McIlroy said we have trail easements from 10' to 200' wide, with 30' being typical. Ten feet is too small; 200' startled the attorney. The facts of the present case may justify a full Class VI road. Chamberlain said another option is to convert the entire Class VI road to a Class A trail per state law.

If any of Wolfeboro were to be thrown up, Kennedy thought that the walled section should remain Class VI. Two electric fences currently cut off the best walls from the rest of Wolfeboro. Both should have gates that the public can open.