

**Town of Norwich  
Conservation Commission**

**MANAGEMENT PLAN FOR THE TOWN-OWNED "MELENDY LOT"  
River Road, Norwich, Vermont  
Approved by the Selectboard 6/23/04**

I. INTRODUCTION

This document is the initial Management Plan for the "Melendy Lot."

The Upper Valley Land Trust (UVLT) and Town of Norwich (Town) agreed to purchase this property from the Melendy family in 2001 and conserve its important natural resource and potential recreation values. UVLT contributed expertise and funds for the purchase from a North American Wetlands Conservation Act (NAWCA) grant. Norwich agreed to contribute money from the Norwich Conservation Trust fund to pay for UVLT's expenses, closing and stewardship costs associated with conserving this property. After exploring several options, UVLT and the Norwich Selectboard (SB), the Town's governing body, decided that Norwich would be the logical owner. UVLT will donate the property to Norwich after the UVLT and SB approve both the CE and the plan.

This plan has been prepared and accepted by the Norwich Conservation Commission (NCC), the Upper Valley Land Trust (UVLT) and the Town of Norwich Board of Selectmen (SB). The plan describes how Norwich will care for and use this land. UVLT and the United States of America own a Conservation Easement (CE) which protects some of the land's attributes. That CE takes precedence over the plan. This plan is written considering those restrictions.

This plan should be reviewed at least every five years and amended to meet the changing needs of the Town of Norwich. The Conservation Easement is permanent and cannot be changed.

It is a requirement of the CE that a copy of the current Management Plan be available for examination by the public at the offices of the Norwich Town Clerk and UVLT.

2. VISION STATEMENT

This land has important wetland, agricultural, scenic and potential recreation values. Norwich will manage the property to protect these values for this and future generations.

The southern end of the property will become a small example of the native riparian

forests that lined the floodplains and floodways before they were cleared for agriculture and transportation corridors years ago. The town may work to control invasive exotic species including buckthorn, purple loosestrife and honeysuckle and may plant to restore native vegetation. The wetland in the southern end of the lot will continue to serve wetland functions without adverse human disturbance.

Norwich values fresh, locally grown produce. Farmers will continue to lease the northern section to produce agricultural crops that will be sold and used locally. The cropland with its nationally ranked "Prime" agricultural soils will be cared for in ways that maintain or improve soil fertility and productivity. No seeds containing genetically modified organisms shall be planted on this property.

As time passes this parcel will continue to offer views of the Connecticut River and the New Hampshire shore unobstructed by buildings.

If the railroad is given up, the town will work to acquire this land and another strip that lies between the railroad tracks and the Connecticut River to gain access to the river. (See paragraph 5.2 below.) We envision a small car top boat launching area near the northern end of the lot. People would park in a small area near the road and carry their boats to and from the river. The river bank would be stabilized but major construction of beaches or boathouses or trailer boat launching areas are not appropriate for this land.

This land may also be used for educational purposes. Hopefully it will be an example of how a small, publicly-owned parcel of land can serve several important natural and human needs

### 3. MANAGEMENT GOALS

The management of the Melendy Lot must always be consistent with the mandates of the Conservation Easement. While the provisions of the CE are far too detailed and specific to be covered here in full, the covenants and restrictions which provide the primary direction for the stewardship of the Protected Property and the scope of this Management Plan can be summarized as follows:

UVLT retains all development rights. No residential, industrial or non-agricultural commercial activities shall be permitted. This reservation is a standard land protection technique designed to preserve the property as open space.

No buildings, structures or improvements are permitted, except as expressly authorized in the Deed.

These goals are derived from the purposes of the Conservation Easement, and all management objectives and policies must be consistent with the priorities set forth in the easement. The purposes of the CE include:

1. As a first priority, to conserve and protect waterfowl habitat located on the premises, the native flora and fauna within such habitat, and the environments and ecological processes which support that habitat, including the water quality of the Connecticut River;
2. Next, to protect the prime agricultural soils on the non-wetland portion of the premises for farming or potential farm uses;
3. Next, to assure some extent of public access or enjoyment of the premises as conserved herein, taking into account the conservation restrictions herein. The premises were conserved and purchased, in part, with public funds from a U.S. Fish and Wildlife Service grant made possible by the North American Wetlands Conservation Act, 16 USC 4401-4413 (1998);
4. Next, to protect scenic qualities and other natural resources and values of the Protected Property;
5. Overall, to assure the Protected Property will be retained forever in its undeveloped and rural condition, and to prevent any use of the Protected Property that will significantly impair or interfere with its unique and significant qualities of public benefit; and
6. To contribute to the implementation of the policies of the State of Vermont designed to foster the conservation of the state's natural resources through planning, regulation, land acquisition, and tax incentive programs by conserving productive agricultural and forestry uses, wildlife habitats, non-commercial recreational opportunities and activities, and other natural and scenic values of the Protected Property for present and future generations.

#### 4. GOVERNANCE

The Town of Norwich will manage the Property (i) in accordance with the requirements and priorities of the Conservation Easement; (ii) utilizing conservation "best practices" as they are understood over time; and (iii) for the benefit of the Norwich community. UVLT is responsible for annual monitoring of the property for transgressions of restrictions in the Conservation Easement. The stewardship process must involve the Upper Valley Land Trust, as holder of the Conservation Easement, whenever interpretation of material elements of the Conservation Easement is necessary and draw upon its support and expertise whenever appropriate.

The Norwich Selectboard, the governing body of the town, is ultimately responsible for the care of the land. As the governing body representing the town, the Selectboard will hereinafter be referred to in this document as the "Town." It will delegate much of the oversight of the uses and care of this land to the Norwich Conservation Commission.

4.1 The NCC will annually report to the Town, in the Town Report, the status of the UVLT annual stewardship report, management activities from the past year and activities planned for the next year.

4.2 The NCC may request funds for the NCC budget for maintenance of the parcel.

4.3 The NCC will inspect the parcel at least annually to insure that there has not been any unauthorized work done on the property, and to observe and remove hazards. Discovery of any adverse conditions to the property will be reported promptly to UVLT and the Town for corrective action.

## II. 5. MANAGEMENT AND PROTECTION

The following management policies will apply to this property. These policies will be reviewed and, if necessary, revised on a regular basis.

### 5.1 Maintenance of present uses

Our principal goals are to maintain and protect the southern section of the Protected Property as riparian and wetland habitat consistent with the goals of the NAWCA funds that purchased the property. Our principal goal for the northern section is to maintain a productive agricultural site.

5.1.a The NCC will research the wetland's characteristics, including the impact of invasive exotic species and formulate a plan for management of the wetland. This plan may be as simple as periodic monitoring or as intensive as controlling exotic invasive species.

5.1.b The southern section will be managed primarily as a riparian natural community. This may, in the early years of town ownership, take active care. Invasive exotics may be eliminated and native plants typical of riparian forests may be planted. The NCC should rely on outside expertise to help develop a plan for restoring the riparian forest.

5.1.c The field will continue to be farmed. The Town, possibly the Town Manager, will negotiate an agreement between the Town and Killdeer Farm, the present lessee, or another farmer for continued use. The terms of the agreement should include provisions for maintaining or improving soil productivity and may include provisions for reclaiming the edges overcome with poison ivy and other plants. No seeds containing genetically modified organisms shall be planted on this property.

5.1.d At this point in time, there are no plans to erect any shelters or parking areas for recreational users.

### 5.2 Protection of the Town's Interests in the Property

In the recent past, the owners of this property have not objected to neighbors making some use of the property. Now with town ownership, the property needs to be protected from trash disposal and from unwanted recreational trespass. Also, while clear title for the land west of the railroad property has been established, the ownership of a small but important strip of land between the tracks and the Connecticut River was recently discovered to be held by USGen New England, Inc., a part of Pacific Gas & Electric National Energy Group. This was not previously known because the 1950 deed to New England Power (predecessor to USGen New England, Inc.) was not entered in the general index in the Norwich Land Records. Moreover, the Town's tax maps have erroneously indicated that this riverfront strip was a part of the 5.22 acre parcel that is the subject of this Management Plan.

5.2.a The Town should pursue the feasibility of acquiring this parcel and making it subject to the same conservation easements as is the 5.22-acre parcel.

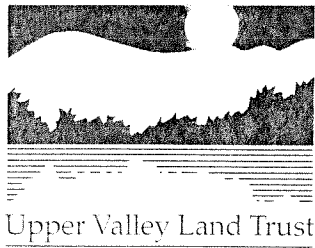
The Town of Norwich accepts this management plan

*Philip Tull Blum* *6/28/04*  
For the Town Date

The Upper Valley Land Trust accepts this management plan

*Arnette Forcine* *7/8/04*  
For the Upper Valley Land Trust Date

Melendy file



19 Buck Road, Hanover, New Hampshire 03755  
Tel: 603/643-6626 Fax: 603/643-6636  
e-mail: info@uvlt.org website: www.uvlt.org

**Trustees**

- CHAIR:  
Frank Sands  
Norwich
- VICE-CHAIR:  
Marion McCollom Hampton  
Hanover
- TREASURER:  
Charles Urnson  
Hanover
- SECRETARY:  
Catherine W. Scott  
Norwich
- Myra Ferguson  
Meriden
- Bob Fox  
White River Jct.
- Lynn E. Freeman  
Meriden
- Thomas B. Gerlach  
Strafford
- Anne Hartmann  
Lyme
- Eliisabeth W. Russell  
Norwich
- Robert W. Stone  
Thetford
- Skip Sturman  
Thetford

July 9, 2004

Steve Soares, Acting Town Manager  
Town of Norwich  
PO Box 376  
Norwich, VT 05055

Re: Melendy Management Plan

Dear Steve:

Thank you for the Management Plan for the Melendy property which UVLT is pleased to approve. I have signed it on behalf of UVLT, kept a copy, and am returning the original to you.

Originals were not sent in duplicate as indicated in your letter, but the photocopy I'm keeping will work for UVLT's file. If you do come across a second original, feel free to forward it to me. I trust your office will forward another copy to the Conservation Commission and that the Management Plan will be available to the public at the town offices upon request. Thanks very much for seeing this through.

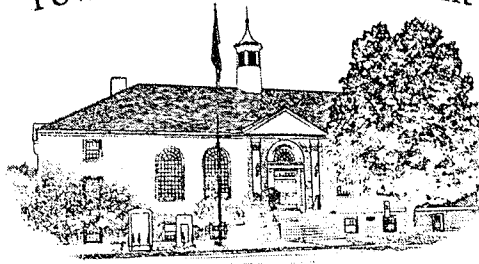
Kind regards,

Annette Lorraine, Esq.  
Stewardship Director  
[annette.lorraine@uvlt.org](mailto:annette.lorraine@uvlt.org)

**Staff**

- Jeanie McIntyre  
*Executive Director*
- Bill Bridge  
*Field Specialist*
- Jane Collins  
*Operations Assistant*
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*Conservation Project Manager*
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*Community Relations Director*
- Iay Waldner  
*Stewardship Manager*
- Osman Wallace  
*Mapping Technologist*

Town of Norwich, Vermont



CHARTERED 1761

Office of the Town Manager

June 30, 2004

Upper Valley Land Trust  
Annette Loraine  
19 Buck Road  
Hanover, NH 03755

RE: Melendy Management Plan

Dear Annette:

At the regularly scheduled Selectboard meeting held on June 23, 2004, the Selectboard authorized the signing of the above document. Attached is the original document (in duplicate) signed by Selectboard Chair, Liz Blum. Please take the time to review and if no changes are necessary, sign one copy and return one signed copy to my office.

As always, please do not hesitate to call or e-mail me should you have any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Stephen J. Soares".

Stephen J. Soares  
Acting Town Manager

*Melendy*

TOWN OF NORWICH, VERMONT  
NORWICH CONSERVATION COMMISSION  
P.O. Box 376  
Norwich, VT 05055

June 14, 2004

Pacific Gas & Electric National Energy Group  
c/o USGen New England, Inc. – Att'n Legal Dept.  
7500 Old Georgetown Rd., Suite 1300  
Bethesda, MD 20814-6161

Re: Connecticut River property in Norwich, Vermont

Dear Sirs:

On May 7, 2004 I wrote to you on behalf of the Norwich Conservation Commission about a small piece of real estate in Norwich, Vermont. Enclosed is a copy of that letter.

Since the letter was not returned, I think it must have been properly addressed. To date I have not heard from anyone in response.

I would greatly appreciate it if someone at PG&E/US Gen New England would just let me know the appropriate person to contact about this matter. Thank you very much.

Very truly yours,

Frank H. Olmstead  
For the Norwich Conservation Commission

cc: Stephen J. Soares, Acting Norwich Town Manager  
Annette Lorraine, Esq., Upper Valley Land Trust  
Conservation Commission  
(All via email)

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*(Sent out Mon 6/14/04)*

5/26/04

**From:** Jay Waldner  
**To:** "Melendy" file  
**Re:** Possibly requiring organic practices, etc., in Management Plan

Today I received a message from Liz Blum, Norwich Selectperson, regarding the Management Plan for the Melendy property. She was reviewing it, in preparation for a meeting this evening. She wondered if it should not do the following:

- Require organic farming practices
- Stress non-motorized boats
- Prohibit GMO seeds

After consulting with Annette I called her back and made the following points:

- Her suggestions could be incorporated into the management plan and UVLT would have no problem with it
- It is up to the Town to weigh the tradeoffs and come to a decision
- UVLT's enforcement responsibility is to the CE. Management activities that are inconsistent with a plan that "places the bar higher" than required by the CE will not be enforced with the same vigor and CE violations.

**Annette Lorraine**

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**From:** Frank Olmstead [FOlmstead@DOOLaw.com]  
**Sent:** Tuesday, May 11, 2004 2:02 PM  
**To:** Dennis Pavlicek; Annette Lorraine; Nick Krembs  
**Subject:** Melendy parcel memt. plan

Hello everyone,

Dennis finally found what we believe is the most recent version of the plan and was able to send it to me as text. At last month's Conservation Commission meeting I offered to look this over and suggest some changes in view of what we now know about the riverfront strip.

Attached in MS Word is my revision of the plan to reflect what we know about the riverfront strip. Most of the changes, which are in bold, are in paragraph 5.2. Keep in mind that #5.2a can be deleted in its entirety if "policing" trespasses on USGen's property is not worth it.

I don't know who is controlling the final revisions to this document, but perhaps one of you could pass these suggestions along.

Thanks.

Frank

Frank H. Olmstead, Esq.  
DesMeules, Olmstead & Ostler  
P.O. Box 1090  
Norwich, VT 05055  
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[FOlmstead@Doolaw.com](mailto:FOlmstead@Doolaw.com)

*Saved in Shared/conv./AL's  
Stw./ "Melendy Plan 2 - 5-11-04.doc"*

TOWN OF NORWICH, VERMONT  
NORWICH CONSERVATION COMMISSION  
P.O. Box 376  
Norwich, VT 05055

May 7, 2004

Pacific Gas & Electric National Energy Group  
c/o USGen New England, Inc. – Att'n Legal Dept.  
7500 Old Georgetown Rd., Suite 1300  
Bethesda, MD 20814-6161

Re: Connecticut River property in Norwich, Vermont


Dear Sirs:

I am writing as a member of the Norwich, Vermont Conservation Commission. The Conservation Commission is a natural resource conservation organization authorized by Vermont statutes, and the Town of Norwich Selectboard appoints its members. My inquiry concerns a small strip of land between the railroad right of way in Norwich and the Connecticut River. The parcel is a long narrow strip comprising about one acre.

Title and ownership of this small parcel has proven quite perplexing based on the public records, but I have been provided with evidence indicating the property was deeded to New England Power Company in 1950 as part of a larger parcel that is now below the river as a result of the water impoundment behind the Wilder, Vermont hydroelectric dam. Only about an acre is still above the river.

For many years, the Norwich tax maps have shown this parcel to be part of a larger parcel on the other side of the railroad right of way. (In fact, the town has included this strip with the larger parcel for property tax purposes for as long as anyone can remember.) The larger parcel was recently conveyed to the Town of Norwich by the Upper Valley Land Trust subject to comprehensive conservation easements. Many people thought the conveyance also included the small strip between the river and the railroad right of way, but this appears to have been mistaken.

On behalf of the Conservation Commission, I would like to speak to someone about this parcel and see if PG & E or USGen or whomever now actually owns it is willing to consider donating it to the Town of Norwich subject to the same conservation easements that apply to the larger parcel.

 I would appreciate it if whoever is lucky enough to be the recipient of this letter would put me in touch with someone to whom I can explain all this in greater detail. It is best to try to contact me

during the workday at (802) 649-2001 or to email me at FOlmstead@doolaw.com. I can then provide a fuller history of this matter and the supporting documents.

Thank you very much and I look forward to hearing from you.

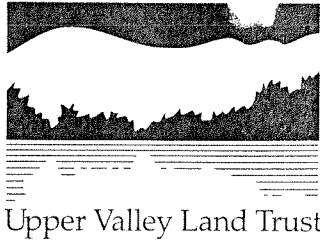
Very truly yours,

A handwritten signature in black ink that reads "Frank H. Olmstead". The signature is written in a cursive style with a large, prominent initial "F".

Frank H. Olmstead  
For the Norwich Conservation Commission

cc: Dennis J. Pavlicek, Norwich Town Manager  
Annette Lorraine, Esq., Upper Valley Land Trust

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Upper Valley Land Trust

19 Buck Road, Hanover, New Hampshire 03755  
Tel: 603/643-6626 Fax: 603/643-6636  
e-mail: info@uvlt.org website: www.uvlt.org

October 24, 2002

**Trustees**

**CHAIR:**

Marion McCollom Hampton  
Hanover

**VICE-CHAIR:**

Frank Sands  
Norwich

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Charles Urmson  
Hanover

**SECRETARY:**

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Norwich

Elizabeth L. Bayne  
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Thomas B. Gerlach  
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Anne Hartmann  
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Patricia Peat  
Hartland

Elisabeth W. Russell  
Norwich

Skip Sturman  
Thetford

Stephen Taylor  
Plainfield

Willis Wood  
Weatherstfield

Upper CT River Mitigation & Enhancement Fund  
c/o Norwich Conservation Commission  
466 New Boston Road  
Norwich, VT 05055

Re: Norwich Conservation Commission

Dear Ladies and Gentlemen:

The Upper Valley Land Trust writes in support of the Norwich Conservation Commission in their plans to manage the wetlands as a natural area on their town-owned land along the Connecticut River. UVLT originally purchased the property at hand in part with a federal North American Wetlands Conservation grant with the goal of protecting the wetlands, waterfowl habitat and overall water quality.

The Norwich Conservation Council is eager to fulfill these goals. It is a conscientious organization. It has had a steady and reliable volunteer team throughout the years to take care of its many responsibilities, including managing the town's several parcels of land and public trails.

UVLT has entered into several conservation easements with the Town of Norwich. On all of these partnerships, the Norwich Conservation Commission has been cooperative, collaborative and creative. They cheerfully wrote management plans, and have taken the responsibility to deal with any problems that arose.

UVLT hopes to see the Norwich Conservation Council supported in their management endeavors on this special Connecticut River property.

Very truly yours,



Jeanie McIntyre  
Executive Director

**Staff**

Jeanie McIntyre  
*Executive Director*

Chuck Armstrong  
*Mapping/Technology Manager*

Bill Bridge  
*Stewardship Manager*

Nate Huckel-Bauer  
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Peg Merrens  
*Conservation Project Manager*

Kate Read  
*Community Relations Director*

John Taylor  
*Recreation Coordinator*

Jay Waldner  
*Stewardship Manager*

Annette,

Thanks for your help getting contacts for the wetlands grant from the Upper Connecticut River Mitigation and Enhancement Fund that the Norwich Conservation Commission wants to apply to the Melendy parcel. (I've left messages on machines and hope to hear back soon.)

As part of the application I have to submit two letters from people who can speak to the effectiveness of our organization. (See attachment)

Would you be willing to draft a letter on our behalf? The deadline to submit the grant in Oct 31, so I'd need something from you by Oct 29 so I have time to photocopy and assemble the grant packet. Making the assumption that you'll say "yes", I'm sending along a SASE to make it as easy as possible for you.

Thanks again for your help with this project.



Lee Michaelides  
Norwich Conservation Commission