

**Adopted Minutes**  
**Waterbury Recreation Committee Meeting 7/14/2021**  
**Hope Davey Picnic Shelter**

**6:30 – 8:00 PM**

This meeting will not be available for public attendance via online connection other than phone connection for members as necessary to provide participation in the meeting.

Roll Call:

Committee Members: Paul Lawson, Frank Spaulding, Phoebe Pelkey, Jane Brown, Meg Ballard, Bill Minter

Present: Paul Lawson, Frank Spaulding, Phoebe Pelkey, Jane Brown, Meg Ballard

Absent: Bill Minter

Town Employees – Officers:

Present: Nick Nadeau, Katie Martin

Guests: Mark Stirewalt, Ben Osborn, David Frothingham, Steve Pacholek, Tom Scribner, Jeb Wallace Brodeur, Joshua Lincoln, Alex Cawley

1. Review Agenda –
2. Adopt Meeting Agenda:
  - a. Motion to adopt: Paul Lawson
  - b. Second: Phoebe Pelkey
  - c. Discussion: None
  - d. Vote: Passed
3. Adopt Meeting Minutes of 6/9/2021:
  - a. Motion to adopt: Phoebe Pelkey
  - b. Second: Paul Lawson
  - c. Discussion: Jane will add Summary Agreement with disc golfers to meeting notes. FS to send to Carla.
  - d. Vote: Passed
4. Public Comments – This is a business meeting. The committee will limit public comments to 3 minutes per person or depending on number of individuals who choose to speak no more than 15 minutes aggregate, divided evenly depending on number of individuals. Please sign in that you wish to speak upon arrival to the meeting.
  - a. Alternative to speaking – The public may submit written comments which will be accepted up to the close of meeting for inclusion in the minutes (in accordance with town guidance for language and content)
  - b. A flip chart and marker will be provided for those who do not have an opportunity to speak or who would rather write in a format that can be shared visually at the meeting.
5. Recreation Director – Nick
  - a. Report from the recreation Director

- i. Focus on Hope Davey/Seminary
    - 1. Guidance needed from the committee-Discussion of a mounted camera on fire station, scoreboards, back stops, second fence, two portalets, 16 fire parking signs.
    - 2. Seminary parks- limited parking, awaiting a vision for that use, back stops being taken down. Maker Sphere is using it now for art classes.
    - 3. Youth Soccer- 2 new people stepping up for organization
    - 4. *Can defer disc golf to agenda item below*
- 6. Anderson Basketball proposal
  - a. Update- Nick met with Steve and walked the plot- add vegetation along the far fence, Jay is awaiting the plan from Nick- end of the month. Will work on a lay out. Paul and Frank to go down to dig holes.
- 7. Skate Park – Location selected and role of committee –
  - a. Phoebe spoke with EFUD- they will be transferring the land to town- 40 acres. Phoebe will reach out to skate park people for further discussion. Frank makes a motion that PP reaches out to skate park people to discuss long term planning. Will need back ground info about the road etc. Paul Lawson seconded it. Motion passed
- 8. Proposal of Long Range management Planning for Hope Davey
- 9. Disc Golf-
  - a. Discussion of transition to a more formal arrangement for work and proposed changes to the course. Needs to be a long range plan. Need to write a grant to hire a firm to coordinate a long range plan. Nick will send EFUD and Ice Center's long range plan so we can see what it looks like.
  - b. Ad Hoc work committees- disc golf members will be part of ad hoc committees
  - c. Committee will look for grants - find out what one to apply for then Steve and Nick will write the grant. We need to identify possible sources. Jane Brown will get started on finding grants to apply for and get back to the committee.
  - d. Interim Disc Golf Management plan/agreement
    - i. Draft to be distributed- not yet the work of the committee
      - 1. Committee- Frank will check in with all parties in 2 weeks.
      - 2. Identify lead representatives of the Disc Golf Community
      - 3. Public (as part of minutes)
- 10. Consideration of special meeting to review and finalize recommended draft plan/agreement to Town. Frank will check in with all parties in 2 weeks.
- 11. Adjourn-8pm

*What follows is a rough draft of an interim agreement and management plan for Center Chains Disc Golf Course. It was prepared by Frank Spaulding, chair of the recreation committee for the Town of Waterbury to START a structured dialog with the principals of the Town and the Disc Golf Community with the desire to create a more formal agreement for the management of this facility. The author drew from committee and informal subcommittee work to date, terms and conditions that appear in similar agreements between the State of Vermont and specific user groups and knowledge of park maintenance. Any errors are the author's alone and likely result from misunderstanding, misreading or incomplete work.*

*THIS IS NOT TO BE VIEWED AS A FINISHED DOCUMENT – The recreation committee has no authority to enter an agreement on behalf of the Town and is provided as a service to aid in the conversation and the author recognizes that the document is subject to significant modification.*

**THIS IS A DRAFT**

Interim Agreement and Management Plan for the management of the disc golf course (Commonly and hereafter referenced as “Center Chains”) located at Hope Davey Park, Town of Waterbury, Vermont

**Background**

Center Chains is an 18-hole disc golf course constructed and physically maintained by a group of volunteers at Hope Davey Park which is owned by the Town of Waterbury.

Established approximately 15 years ago by a group of volunteers with permission from the town, the course has operated continuously since that time under regular improvements and maintenance by a loosely organized group of volunteers. The Town provides support for the course through access, parking, warm season temporary toilet facilities (shared with other park users), trash and recycling disposal and informally through the presence of other support facilities such as the shelter and drinking water.

The course operates free of charge for use, though is supported financially by donations to the volunteers who use the funds at their discretion in support of maintenance and improvements to the course.

As disc golf participation has grown, the course has seen dramatic increases in use and currently hosts two events The Sap Bucket Open in early June and \_\_\_\_\_ in \_\_\_\_\_. Additionally, Center Chains is listed as a course on multi week league operated by \_\_\_\_\_.

The Town charges event and league organizers for the use of the course in accordance with established town policy including associated vending licenses.

The length and layout of the course has not changed significantly since its creation with the exception of adding tee pads to provide for a shorter game for beginners and youth. Additionally, the course was necessarily modified to accommodate and move away from housing construction in “the Knolls” development located on the Guptil road side of the park property. The supporting trail system has changed substantially as use has grown and the volunteers have striven to accommodate that use and its inherent impact on the grounds. Mown areas have expanded and or changed over the years.

This portion of Hope Davey also hosts walking trails and other shared use. A walking path predates the disc golf course which now overshadows portions of that network.

Coordination with the town has been informal.

### **Purpose of the interim agreement and management Plan for the disc golf course**

This interim agreement and management plan is to create a more formal structure for coordinating the activities around the maintenance and care of the disc golf course, and to establish interim roles, responsibilities, and rights for the Town and the volunteer group supporting the course.

It is intended that this interim document will be improved and replaced as the Town develops a more comprehensive long range plan for the management of Hope Davey Park, however until that time will be subject to updates and changes as detailed later

### **Universally accepted conditions**

1. Hope Davey is a Town owned property and it an all its facilities and improvements are subject to any town regulation, rule, ordinance or permit.
2. Hope Davey and specifically the portion which hosts the disc golf course is a shared use facility and nothing in this interim plan conveys or implies exclusive use of the property to any specific or single use or group, unless expressly conveyed through the issuance of a specific event permit (see item #1 in this section)
  - a. All users are encouraged to share the resource and be respectful of the rights and recreational enjoyment of others.
3. Disc golf is an established and currently viable use of this property and disc golf is recognized as a popular recreational past time.
4. As a publicly funded park use shall not be restricted based on any residency status.

### **Roles, Responsibilities and Rights**

#### **Center Chains Volunteer Group**

1. Shall designate at least one individual to serve as a principal contact. (Additional individuals may be designated as contacts, but one must be designated as the principal contact.)
  - a. This individual will serve as a point of contact for the Town. However, for the purposes of efficiency this would not prevent the designation of subject matter experts to enter direct dialog with town officials as designated for specific topics. (IE the group could designate a mowing coordinator that would discuss adjustments to mowing)
2. Shall be able to collect donations at the course or fundraise and spend the proceeds at their discretion.
3. Shall coordinate, train and direct the work of all volunteers who work on the course on their behalf.
4. Shall be responsible for the means and methods of executing the work and as such shall indemnify and hold the town harmless for damages, including personal injury, caused by the acts, omissions, or negligence of the volunteers, incidental to work on the course, including, but not limited to, construction, maintenance and use of unauthorized trails and structures.

5. Permission to perform work on the town property under this agreement/management plan and any authorization supplemental hereto does not in any way convey to the volunteer group employee status or any other status as a town official.
6. Any improvements constructed on Town property will become the property of the town.

#### The Town

1. Shall designate at least one individual to serve as a principal contact. (Additional individuals or groups may be designated as contacts, but one must be designated as the principal contact.)
  - a. This individual will serve as a point of contact for the Disc Golf Group. However, for the purposes of efficiency this would not prevent the designation of subject matter experts to enter direct dialog with the Volunteer group as designated for specific topics. (IE The Recreation Committee can be assigned to work with a maintenance coordinator in selecting a standard bench design)
2. The town maintains the right to close any portion or all of the disc golf course or remove elements of the course if any of the following exist:
  - Weather conditions make the course unsuitable for use
  - Public safety is endangered due to course conditions.
  - Any other reason, raising public safety or environmental concerns that, in the determination of town officials justify closing the course to public use.

#### **Interim management Plan**

##### **All work**

All maintenance work on the course shall be conducted during the hours when the park is open for public use and shall be conducted in accordance with all applicable town ordinances and State Law.

Materials staged on site for future use shall be neatly stacked and shall remain stored on site for no longer than 1 month prior to use. Unused materials shall be treated as debris.

Not natural debris including but not limited to dimensioned lumber, concrete masonry units, anything painted etc generated from maintenance work shall be removed from site on the day it is created.

The Center Chains group may seek an exception to the conditions above, but it must be pre-approved and may be subject to additional conditions as may be deemed necessary by the town to assure public safety and protect the appearance of the park property.

##### **Size and Layout**

The course elements (tees and baskets) shall remain in the same locations as they exist on July 15, 2021. The volunteer group may work within the existing locations at their discretion to improve or replace the elements.

##### **Mowing and Seasonal Vegetation**

The extent of mowing as it exists as of July 15, 2021 and as agreed to by the smaller working group shall be maintained.

Weed whacking and trimming is allowed at boardwalk edges to maintain a clear path of travel that extends upward either vertically from each edge or a width of 48 inches (whichever is wider) to a height no less than 80 and no more than 86 inches.

It is understood that disc golf involves retrieval of errant throws. Center chains will implement play rules to minimize disturbance to vegetation to the side of the course. At a minimum, mandatory drops will be required when a disc comes to rest in the wet area to the north of the Hole #1 fairway and the vegetated area between Thatcher Brook and the top of bank along Hole #6?

### **Trees**

No standing trees, living or dead shall be cut without prior permission from the Town.

Fallen trees shall be left where they fell unless they obstruct a path or interfere with play at which time they may be cut without prior permission and moved only as necessary to reestablish the path of travel or play.

Trees observed as hazardous, especially near tee boxes and baskets, shall be brought to the attention of the Town immediately.

A hazardous tree is defined as a tree having a significant enough defect that when evaluated for the species and size of the tree has an increased probability of falling in a manner that would cause injury or damage to a present target. In this analysis trails and general areas within the fairway would be viewed as a lower probability than tees and baskets.

### **Benches**

Shall be limited to 1 per hole. And placed at a location agreeable to the Town yet near the established area near the tee or at a pathway edge to reduce excessive compaction.

Shall be manufactured for the purpose for use as a bench and meet standards for seat height and back height (if present)

Shall not be affixed or built into any living tree or other natural feature without prior permission.

Shall be placed on flat ground and may be secured with ground anchor.

Memorials or dedications may be included on installed benches but Center Chains cannot guarantee or assure any specific timeframe for the placement to remain beyond the conditions in this agreement/management plan.

(The Town and the Center Chains group shall collaborate to select a standardized bench to install as current benches age out and are replaced)

### **Pathways/trails**

Center chains will strive through a strategy of re-naturalization (blocking with deadfall) and public communication to limit trail number and widths.

Travel ways between holes shall be limited to one main pathway per hole and where possible and safe for the user pathways shall be shared to limit impact.

The location of the main pathways as currently exist as of July 15, 2021 shall not be changed without pre-approval by the town, with the exception of closure and renaturalization to achieve the goals of impact reduction.

The trails through Hope Davey are a shared use and a walking path pre-dates the disc golf course. This interim plan does not remedy the current overshadow by the course, but does identify and all recognize this condition as high priority for correction.

While not yet defined new trails and significant reconstruction of existing trails will be expected to meet appropriate trail design and construction standards following a mutually agreed upon set of State or Federal Standards.

### **ADA Standards**

As a Title II entity The Town of Waterbury must meet the requirements of that title of the Americans with Disabilities Act, 2010 standards. As an installation on Town property Center Chains is subject to those same requirements including requirements and exceptions offered for recreation facilities in natural settings.

The detailed requirements and exceptions under the ADA are too complicated to list in this agreement. This serves as notification of the requirements and commits Center Chains and the Town to work cooperatively.

### **Other Fixtures**

**Basket quieting** through the installation of fire hose padding on the center pole of the basket shall be required to be installed and maintained at holes \_\_\_\_\_.

**Lost disk locker/donation drop** – Center chains shall be allowed to maintain a drop location for recovered lost disks and for collecting donations at the site subject to the following.

- This location shall be at the information kiosk located on the north side of the bridge.
- The container shall be aesthetically appropriate for exterior installation in the park setting and shall be pre-approved by the Town.
- The current locker shall be removed once an approved replacement has been installed or by \_\_\_\_\_, Whichever comes sooner.

**Signage-** Center chains shall be responsible for the placement and maintenance of course instructional signage including out of bounds delineators, temporary closure, and other instructional or directional signage. These elements shall be minimal and shall be uniform in appearance across the course. (IE all out of bound stakes will look the same)

Center Chains and the town will collaborate on a shared use sign to be placed at the South end of the bridge which warns all users of real exposures ahead and provides guidance on how to share the course. Additionally the course shall adopt standardized signage for locations where the walking trail intersects fairways and at the tees for that same fairway that instructs both walkers and golfers where each is, or is likely to appear. It is recognized as stated above that additional trail work is required to better integrate (or separate) the uses and that signage alone is not a permanent solution to trails that intersect fairways for an extended duration.

**Trash receptacles** – Except as may be specified in a specific event permit or authorization, Center Chains course and the area in general to the South of the bridge and kiosk will remain a carry in-carry out facility. The town shall maintain receptacles and manage disposal of user generated refuse and recycling at the shelter and at other locations within the “developed” portion of Hope Davey as deemed appropriate by the Town.

**Toilets** – The town shall maintain portable toilets at both the parking areas at Hope Davey during the warmer months

### **Behavior and Communication**

Center Chains shall communicate on behalf of Center Chains and the Town shall communicate on behalf of the Town.

Center Chains shall recognize the town as owner of the Hope Davey property and the Town shall recognize the Center Chains volunteer group as organizers and maintainers of the disc golf course.

Center chains shall prepare, maintain and communicate a code of conduct for disc golf for approval by the Town and for communication on Center Chains and Town communication platforms.

As stated earlier, operation, including behavior of users shall be in accordance with town and state regulations that exist at the time.

The town shall maintain a non-emergent incident reporting system through the Recreation Department website, whose link shall be publicly published and monitored by the recreation director since this reporting site is intended for all town properties. The principal town contact and the principal Center Chains contact will communicate no less frequently that every 2 months, to discuss any disc golf related reports in an effort to apply a remedy. The Recreation Director shall have the discretion to immediately address serious situations and shall inform the principal town contact (if not the same) and the principal contact for Center Chains of such. Nothing shall prevent the Town and Center chains from communicating more frequently if warranted.

### **Monitoring and Inspection**

No less frequently than once per year at a mutually agreed upon time, the principal contact for Center Chains and the principal contact for the Town shall walk the course to verify that it is being operated in accordance with the interim agreement/management plan. Either can invite subject matter experts on this visit to address specific conditions or work plans.

- Following this visit Center chains shall develop and present an annual work plan with anticipated changes major maintenance along with rough timelines to allow the town to coordinate appropriate and timely review if/when needed.

Safety inspections –

- Center Chains shall routinely monitor course facilities for changes and degradation that may impact safety and correct when found. This includes but is not limited to benches, tee boxes, boardwalks.
- The town shall no less frequently than once per year evaluate the course/property for safety It is anticipated that this review would encompass more than just the disc golf course and therefore

would likely not be done in concert with the annual visit. Nothing would preclude this, but the recommended timing would be prior to the scheduled annual visit so that the town would have the opportunity to discuss findings with subject matter experts in order to determine if a true hazard exists and/or to develop information for a possible remedy.

**Agreement/Plan modification and Renewal**

Unless replaced through separate agreement, this plan shall be modified and /or renewed annually following the monitoring walkthrough.

All recognize that a broader planning vision for Hope Davey Park is desired and may be undertaken in the near future, at which time the recognized recreational use of the disc golf course on the property would be included in the planning conversation, and which could lead to a more permanent agreement and management plan for the disc golf specifically.

*In the space below the town and center chains would list individuals or positions that would serve as contacts for the town*

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