

**The Greensboro Association
P.O. Box 59, Greensboro, Vt. 05841
www.greensboroassociation.org**

December 17, 2012

Considerations Related to Management of the Public Beach

Greensboro Select Board,

As a Village Improvement Society our activities are focused on Caspian Lake protection and a range of village improvement initiatives. Stakeholders include our members as well as residents of Greensboro, Hardwick and surrounding towns who share the goal of maintaining Greensboro's unique attributes and keeping Caspian Lake pristine and free of invasive species. We are pleased to offer our support related to the long-term management of the Public Beach, its usage and lake access.

Greensboro and Hardwick have enjoyed a successful relationship over many decades maintaining the Public Beach as a public access point for local residents and visitors. We have kept Caspian Lake pristine and beautiful as a place to enjoy a peaceful respite, winter and summer recreation and as an engine for the local economy. Unfortunately, due to state-driven tax circumstances, Hardwick is now compelled to consider changes to how the Public Beach is managed in order to mitigate what could be a significant tax burden.

The Greensboro Association supports the current efforts that seek a positive resolution in the courts. We believe that the Public Beach should continue to provide public access for local residents and visitors and that the management of lake access and protection be maintained locally. This letter outlines considerations related to a number of current scenarios as well as a set of principles that could be applied to any scenario.

Considerations of Current Scenarios

We understand that options under consideration by the Hardwick Select Board include pursuing a Summary Judgment in the Vermont Superior Court and the potential sale of the property. Potential buyers that are in a position to mitigate the tax burden include the Vermont Fish and Wildlife Department (F&W) and the Town of Greensboro.

A Purchase by Vermont's Fish and Wildlife Department

We have no reason to believe that the F&W have anything but the best intentions for the effective management of access to Caspian Lake. F&W would also likely leaseback of the beach areas so that these could be maintained as a public beach with local control. In addition to providing a tax solution, other positives include revenue for the Town of

Hardwick, reduced operational cost and liability for the dam as well as the management of the pier and access ramp.

However, it is also clear that a purchase by F&W would remove governance control from the local community and invite long-term risk and uncertainty. F&W has stated that they would not entertain a formal local governance structure to oversee the access point.

Caspian Lake is one of the most attractive fishing and recreation destinations in Vermont and this creates a natural pressure on usage, which raises further concerns, including:

- Potential unwanted state-wide promotion of the lake in a way that would swell the population of boats and activity
- More visitor volume introducing the additional risk of invasive species sneaking through the protection programs we have in place
- Dredging of the access area / ramp and enhancing the ramp in ways that would make it easier for bigger / faster boats to access the lake
- Additional pressure on fish populations
- Additional pressure, costs and logistics for the GA to maintain our lake protection / monitoring programs targeting invasive species prevention
- Increased risk of a potential introduction of invasive species and needing to pursue a costly program for removal.

Due to these long-term risks and uncertainties, we suggest that any arrangement with the F&W include a stipulation for local governance on usage and access policies. There are strong arguments, however, that even a stipulation of this nature would be difficult to enforce. It is crucial that the local community is able to govern the implementation of potential statewide initiatives that may be inconsistent with the unique needs of the Caspian Lake community.

Local Ownership - The Towns of Greensboro & Hardwick

We believe that a preferred option is a continuity of local control via a Hardwick/Greensboro ownership/ management structure. If the specific tax considerations in this case are not changed through the efforts in the courts, an acquisition by Greensboro along with a joint Hardwick-Greensboro governance structure could mitigate tax issues and sustain a usage approach consistent with what we enjoy today. We would suggest that, in this scenario, any arrangement provide Hardwick residents access rights in perpetuity and that joint governance structures be maintained to help manage usage, access and protection policies.

Clearly, this option brings financial and related considerations for Hardwick that would need to be favorable in comparison with alternatives. Hardwick might consider the long-term value to Hardwick residents of maintaining local control and access as well as our active lake protection programs. Of course, any financial arrangement would require further development between the Towns of Greensboro and Hardwick and The Greensboro Association is pleased to consider options – including potential financial strategies and support - that can deliver a positive solution for Greensboro and Hardwick.

A Purchase by a Private Buyer or Foundation

Another scenario is a sale to a private buyer or foundation. A private buyer would bring significant risk to public access opportunities, but a non-profit organization, whose interests align with the Town of Hardwick and the local community, could offer an advantage. In this scenario, the tax implications are not fully clear, but the property could be potentially managed in a trust that could mitigate the tax burden while supporting the public use objectives of Hardwick and Greensboro residents. We would be pleased to further facilitate this option as well should there be interest.

Summary

We support Hardwick and Greensboro Select Boards in their efforts to identify an effective solution and we remain prepared to provide our support and our input on proposals or scenarios. We believe that the principles, outlined in the Appendix are important for our all our stakeholders across Greensboro and Hardwick and that these may help provide a further reference framework in weighing alternatives.

On behalf of the Board of Trustees of the Greensboro Association, and the *ad hoc* GA *Public Beach Committee*, thank you for the opportunity to share these perspectives. Feel free to contact me at (617) 686-7305 or via email at jcstone@gmail.com.

Sincerely,

A handwritten signature in cursive script that reads "John C. Stone" followed by a small mark that appears to be a stylized "III" or a flourish.

John C. Stone III
President,
Greensboro Association

Ad Hoc GA Public Beach Committee

Andy Dales, Chair, Niall Kirkwood, Linda Ely, Rick Lovett, Whitney Sowles, Clay Simpson, Larry Hewes, and John Stone III.

Attachment

Appendix – Principles for Public Beach and Lake Access

Appendix

Principles for Use and Management of the Public Beach

The following principles represent the views of the Greensboro Association and are provided as input to decisions related to the Public Beach in Greensboro:

- **Public Beach Access & Usage**
 - The public beach should continue to be a public access point for Caspian Lake – in particular for residents of Greensboro and Hardwick
 - The public beach should be used peacefully by law abiding visitors and offer the right level of public utilities for the health and welfare of visitors and surrounding home owners and residents

- **Lake Protection & Preservation**
 - Lake protection (e.g. invasive species) and preservation (e.g. cleanliness, and environmental impacts) should be an overarching priority as success is critical to the economic well being of the area as well as a key benefit for local residents
Boat access should be managed in a way that encourages an appropriate level of volume and to avoid an unhealthy expansion of volume that would pressure resources and threaten the lake
 - Existing and future programs for lake protection must be fully supported to ensure we continue our best efforts in protecting Caspian Lake from invasive species

- **Governance and Management**
 - Local Hardwick and Greensboro leadership should be able to establish and maintain policies and procedures that direct access and usage of the public beach and the lake access ramp
 - The beach should be effectively managed for the health, safety and well being of visitors along with respect for local residents
 - There should be limits on boat size, noise and volume of boat traffic
 - Maintenance of the ramp and pier, including any dredging or otherwise enlarging the launch area should be made with express consideration of the sensitivities of lake protection, local residents and local lake access policies
 - The dam should be professionally managed separately from the beach and pier and maintained with strong consideration and balance a balance of factors that include the safety of the outlet for downstream residents, the needs of the electric utilities, maintaining safe and effective lake levels and the needs of residents residing on and using the lake.