

TOWN OF MIDDLEBURY
Ordinance Regarding:
The Protection of Trees and Plants in the
Battell Woods and Means Woods

The Selectmen of the Town of Middlebury, pursuant to Chapter 1, Section 104 (F) of the Middlebury Charter, hereby enact the following ordinance regulating the removal of trees, plants, shrubs, and flowers on certain municipal property:

Parcel #1: D.M. Means Memorial Woods. D.M. Means Memorial Woods, so-called, located on the northerly side of Seminary Street Extension, and being the 29-acre parcel conveyed to the Town of Middlebury by Deed of Elinor H. Means, dated 15 August 1969, and recorded in the Middlebury Land Records, said lands being described in the Town of Middlebury Ordinance Regarding: The Discharge of Firearms in the Battell Woods and Means Woods.

"Reference is made to survey dated June 18, 1969 entitled "TO THE TOWN OF MIDDLEBURY FROM ELINOR HAVEN MEANS" on file at the Office of the Middlebury Town Clerk and prepared by J.R. Widli and A.K.D. Healy, Jr."

Parcel #2: Battell Woods. The Battell Woods, so-called, located on the southerly side of Seminary Street Extension and being more particularly described on a survey map prepared by Lee H. Lowell, Surveyor, and dated March 31, 1966, and entitled "Property of Battell Park Trust". A copy of this plan is on file in the Middlebury Town Clerk's Office.

Extension, by lands of Wilson E. Noyes, and by lands of Alson Drew; easterly by lands of Buttolph and lands now or formerly of Brayman; southerly by the Rogers Road Development and the Birchard Park Development; and easterly by lands now or formerly of Hector Sabourin and E. Lawrence Roberts.

This Ordinance shall not apply to the picking, transplanting, or removal of trees, plants, shrubs, or flowers within these areas for sound forestry management purposes or for preservation, biological, zoological, botanical, or educational purposes, by the D.M. Means Memorial Woods Trustees, by the Trustees of the Battell Woods or by persons acting with express permission of the Town of Middlebury or with express permission of the D.M. Memorial Woods Trustees or the Battell Woods Trustees.

A person who violates any provision of this Ordinance shall be fined not more than \$75.00 for each offense.

Adopted: February 9, 1971

Amended: February 28, 1995 - Effective April 9, 1995