



**LEBANON CLASS VI ROADS ADVISORY BOARD
MAY 4, 2023 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

-
- 1. Call to Order**
 - 2. Approval of Minutes**
 - A. February 16, 2023
 - 3. Study Items**
 - A. Review and Discussion of Class 6 Rd #30 - Ticknor Road
 - 4. Other Business**
 - 5. Future Agenda Items**
 - 6. Open to the Public**
 - 7. Adjournment**

Meetings are open for in-person and remote attendance. Members of the public that wish to attend remotely may do so by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupts virtual or phone connection(s), the meeting will continue without remote access capabilities.

DRAFT

**LEBANON CLASS VI ROADS – ADVISORY BOARD
REGULAR MEETING MINUTES
LEBANON LIBRARY – DAMREN ROOM OR
Remote Via Microsoft Teams
LebanonNH.gov/Live
February 16, 2023
6:30 PM**

MEMBERS PRESENT: Stephen Wood (Chair) (remote), Marc Coleman, Erling Heistad, Colin Smith (Vice Chair), Barbara Hirai

MEMBERS ABSENT: None

STAFF PRESENT: Mark Goodwin (GIS Coordinator)

1 **1. CALL TO ORDER – Chair Wood called the meeting to order at 6:30 PM.**

2
3 **2. APPROVAL OF MINUTES: January 5, 2023**

4
5 *Mr. Heistad MOVED to approve the January 5, 2023 minutes, as presented.*

6 *Seconded by Ms. Hirai.*

7 ** The Vote on the MOTION was approved by roll call: Barbara Hirai – aye; Erling Heistad –*
8 *aye; Colin Smith – aye; Marc Coleman – aye; Chair Wood – aye; (5-0-0).*

9
10 **3. STUDY ITEMS**

11 **A. Review and Discussion of Class 6 Rd #30 – Ticknor Road**

12
13 Mr. Goodwin explained that a Class 6 road is a public right of way that is no longer being
14 maintained. This Committee reviews how roads were considered as public right of ways. It is
15 very difficult to find dedicated acceptances for many of the early right of ways, however there is
16 a robust amount of prescriptive evidence.

17
18 Mr. Wood explained that this discussion is dealing with a section of Ticknor Road running from
19 Slayton Hill, past the cellar hole/pest house.

20
21 The Committee reviewed the prescriptive evidence.

22
23 Mr. Goodwin stated that this section is shown on all of the Torbet maps. The 1855 Eaton map
24 shows a stub only off Slayton Hill. The 1860 map shows it to the cellar hole but not all the way
25 to the end. The 1892 Hurd atlas has nothing off Slayton Hill. Two of the three City historian
26 maps also show this section. There is field evidence. Historical documentation references the
27 Ticknor family multiple times. There is no description of the road itself, but it generally
28 references the southeast side of town.
29

1 Mr. Wood explained that he and Mr. Heistad visited an abutter and asked about the history of the
2 Ticknor right of way. The abutter stated that the right of way has historically run to the cellar
3 hole and down to the old ski area. Mr. Wood stated that he also spoke to Bob Townsend, who
4 stated that the section is absolutely a public right of way. Mr. Wood stated that, through his own
5 memory, he has used this right of way without ever considering requesting permission, as he
6 always believed it to be a right of way.

7
8 Mr. Heistad stated that his father ran cross country races through this area in the mid-1940's. It
9 was never believed to be anything other than a public right of way.

10
11 Ms. Hirai stated that, as a member of the Conservation Commission, she has used this pathway
12 as an easy access into the Ticknor property. She always believed it to be a public right of way.

13
14 Mr. Goodwin stated that there has been reference to the cellar hole being a poor house, pest
15 house, etc. One map does label that as Ticknor, so it may have contained a cellar hole and farm.
16 The only reference to a poor house in the history reference books was shown to be located
17 elsewhere in town. There is historic reference to a pest house located south near Storrs Hill.

18
19 Mr. Wood explained that the Committee has been taking Ticknor Road in sections, partly for the
20 Townsend family. If this section is determined to be a public way, he suggested that a motion not
21 be made this evening but that the Committee consider the whole way as one.

22
23 Ms. Hirai stated that she would like to vote on this section this evening, if possible.

24
25 Mr. Wood stated that motions made should be sent to the City Council and should likely not be
26 sent in piecemeal for the entirety of Ticknor Road.

27
28 Mr. Goodwin stated that the second consideration is evidence of discontinuation. There is no
29 historic evidence regarding Ticknor being discontinued.

30
31 Step three involves discussing the current conditions of the way. This is a distinguishable right of
32 way. There are some erosion issues and some slight vegetation overgrowth. This area supports
33 hiking, and some potential mountain biking. A car could not likely currently be driven down this
34 way.

35
36 Mr. Wood noted that, if not for human interaction with the area, it would look very different in
37 terms of the current erosion.

38
39 The Committee reviewed the potential future uses for the way.

40
41 Mr. Wood stated that his belief is that this is a Class A trail with vehicular restrictions and to be
42 sustained for foot traffic. Ms. Hirai stated that the group should assert that this is a right of way
43 and then recommend it as a Class A trail.

44
45 Mr. Colman asked how this section will be specified from the full Ticknor Road. It was
46 discussed that this could be considered the west end of Ticknor.

1
2 The Committee agreed provisionally to assert that this section is a public right of way and that, if
3 obliged to recommend this evening, it would recommend it as a Class A trail.

4
5 Tori Carver noted that this is being disputed. Other than personal opinions, there is no evidence
6 that this is a public right of way. Mr. Wood stated that the Committee reviewed the prescriptive
7 evidence. There is a strong amount of living memory and that can be accepted in court to
8 determine if this is a public right of way.

9
10 Ms. Carver asked if the groups' personal opinion is legally binding. Mr. Wood stated that a
11 recommendation would be made from this group to the City Council, who would then accept or
12 reject the recommendation either in whole or partly. This is not only an opinion of the group.
13 Evidence of people using this way while believing that can be done as a matter of right, becomes
14 evidence of the existence of a public right of way. Ms. Carver stated that she would not believe
15 this to be evidence.

16
17 Mr. Coleman noted that 250 years' worth of historical maps also show this section of road.

18
19 Justin Carver stated that his surveyor will be examining this area, along with other sections of
20 Ticknor Road. It has not been proven that this was not potentially just a private driveway to
21 Ticknor Farm. He uses this area a lot and maintains the trail.

22
23 Mr. Wood stated that the Committee will eventually be reviewing the whole road. This section
24 will also be reviewed as part of that larger discussion.

25
26 Ms. Carver asked if the public could make recommendations to the City Council as well. Mr.
27 Wood stated that the City Council meeting will be public, and any declarations would likely
28 coincide with a public hearing. The public can speak during those meetings.

29
30 Mr. Wood noted that the next meeting of the Committee will likely discuss the next section to
31 the east on this road. The Committee agreed to next meet on April 1, 2023.

32
33 **4. OTHER BUSINESS** – *None at this time*

34
35 **5. FUTURE AGENDA ITEMS** – *None at this time*

36
37 **6. OPEN TO THE PUBLIC**– *None at this time*

38
39 **7. ADJOURNMENT:**

40
41 **Mr. Heistad MOVED to adjourn.**

42 **Seconded by Ms. Hirai.**

43 *** The Vote on the MOTION was approved by roll call: Barbara Hirai – aye; Erling Heistad –**
44 **aye; Colin Smith – aye; Marc Coleman – aye; Chair Wood – aye; (5-0-0).**

45
46 **The meeting was adjourned at 7:25 PM.**

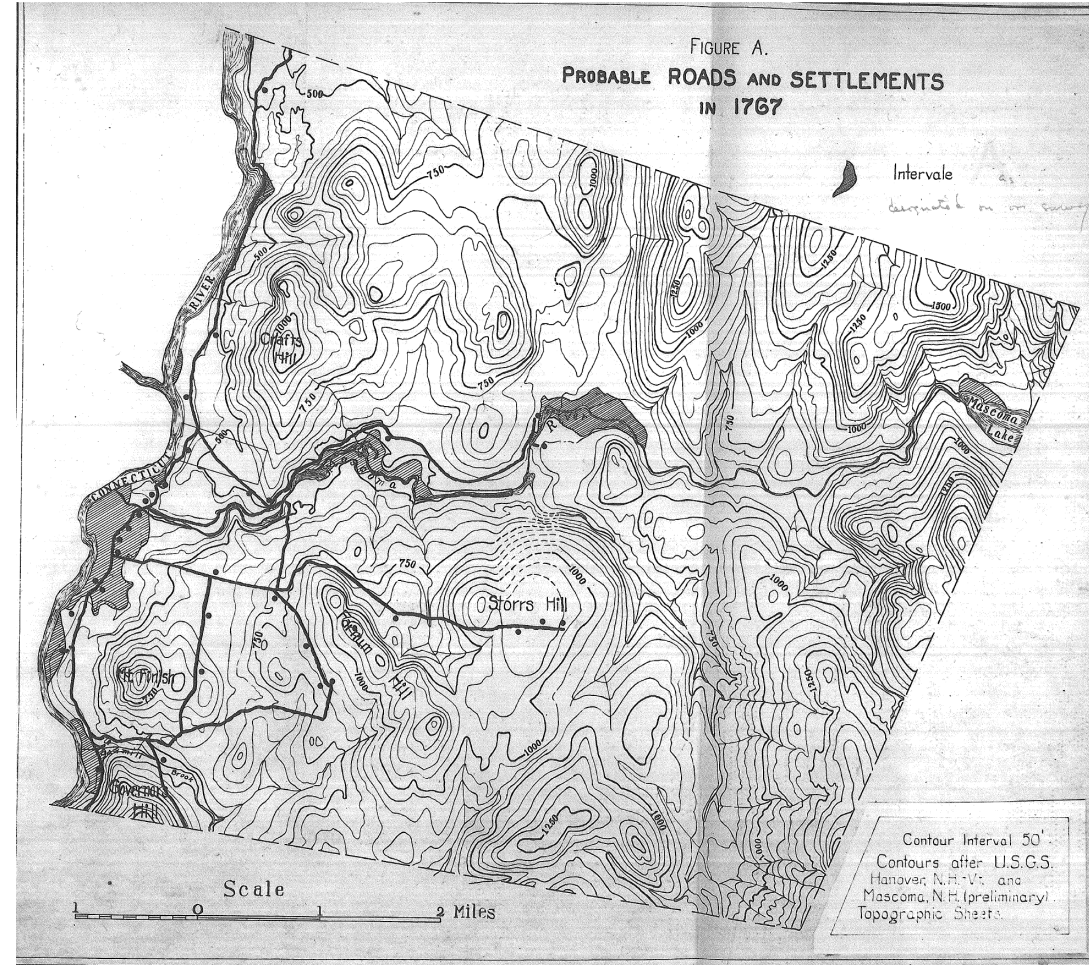
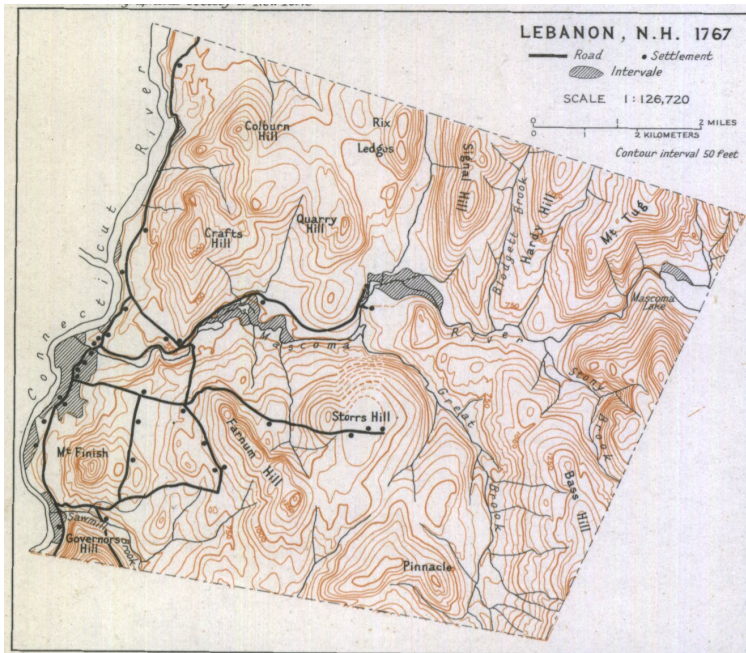
1
2 Respectfully submitted,
3 Kristan Patenaude
4 Recording Secretary

Item 3A

Date: 1767

Cartographer: Torbet, 1932

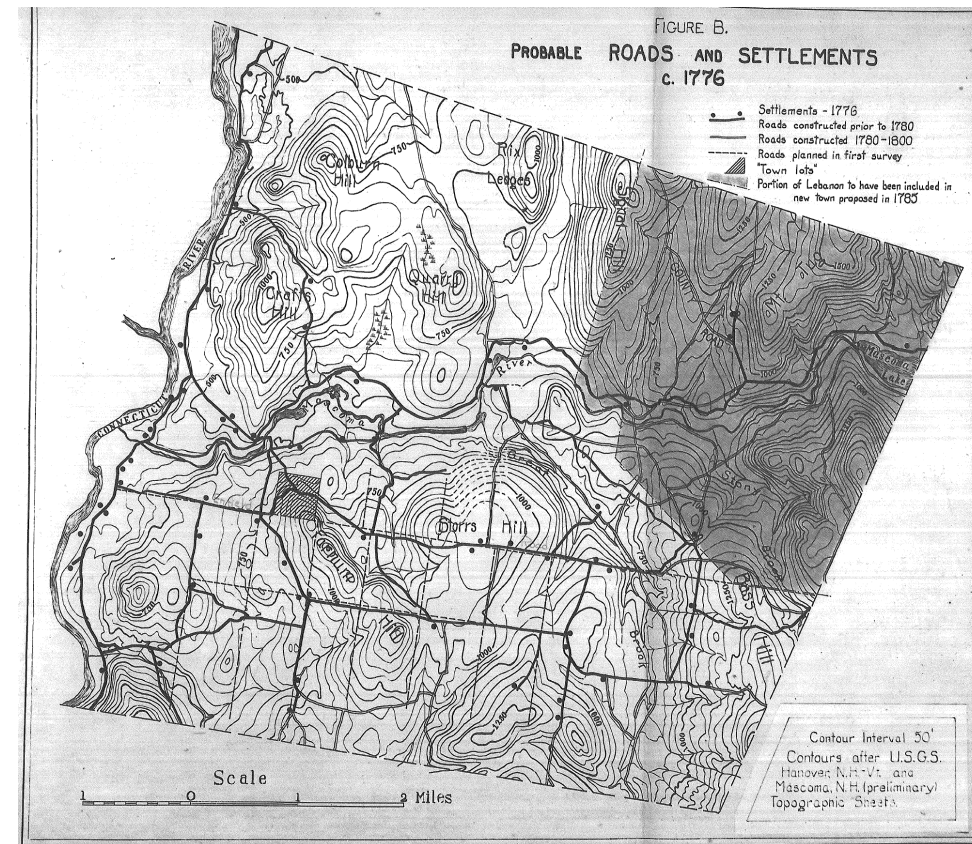
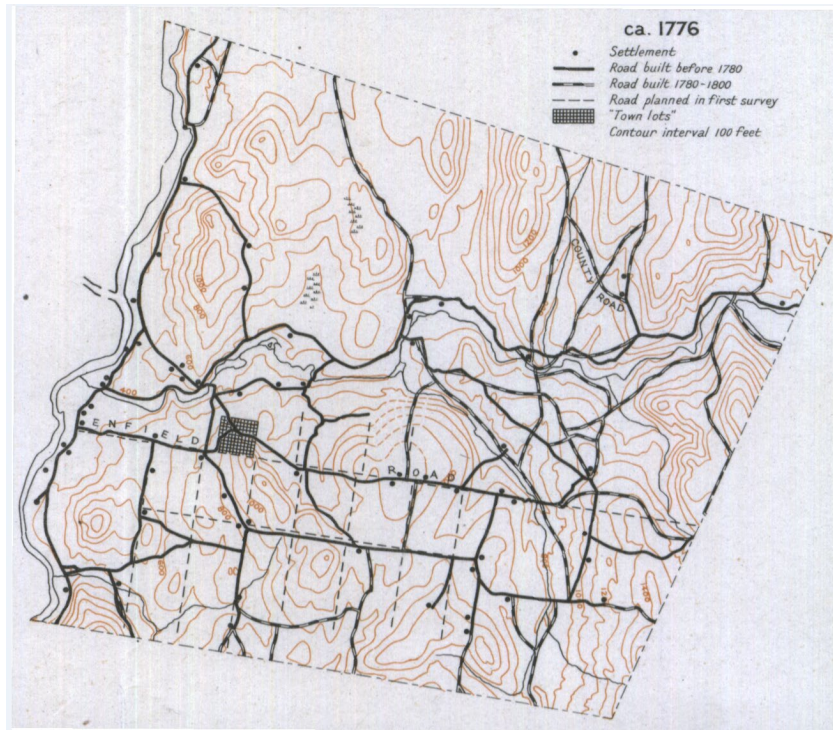
Source: Torbet assembled this map based upon road layout & homestead descriptions contained within the Lebanon Town Records



Date: 1776

Cartographer: Torbet, 1932

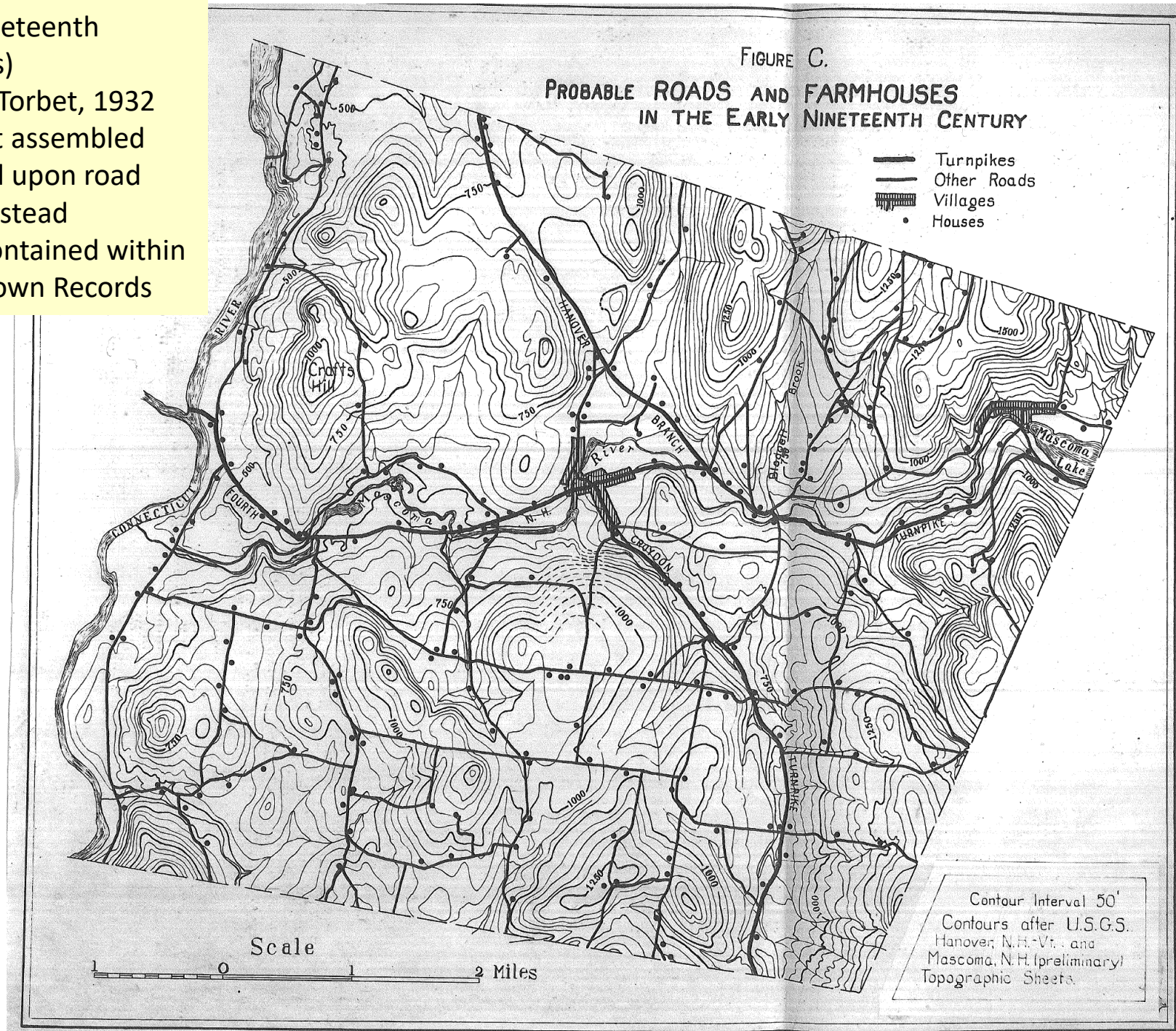
Source: Torbet assembled this map based upon road layout & homestead descriptions contained within the Lebanon Town Records



Date: Early Nineteenth
Century (1800s)

Cartographer: Torbet, 1932

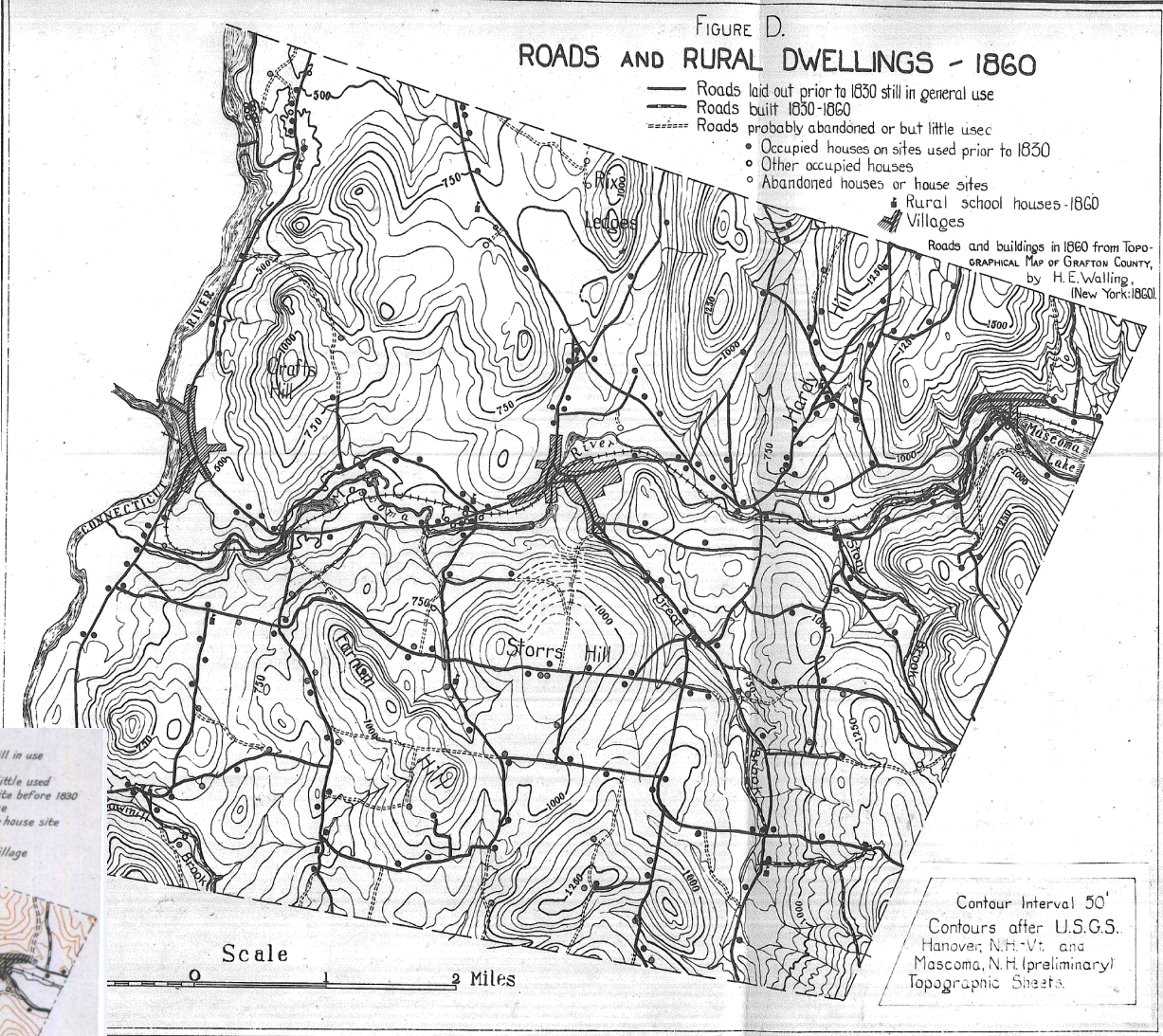
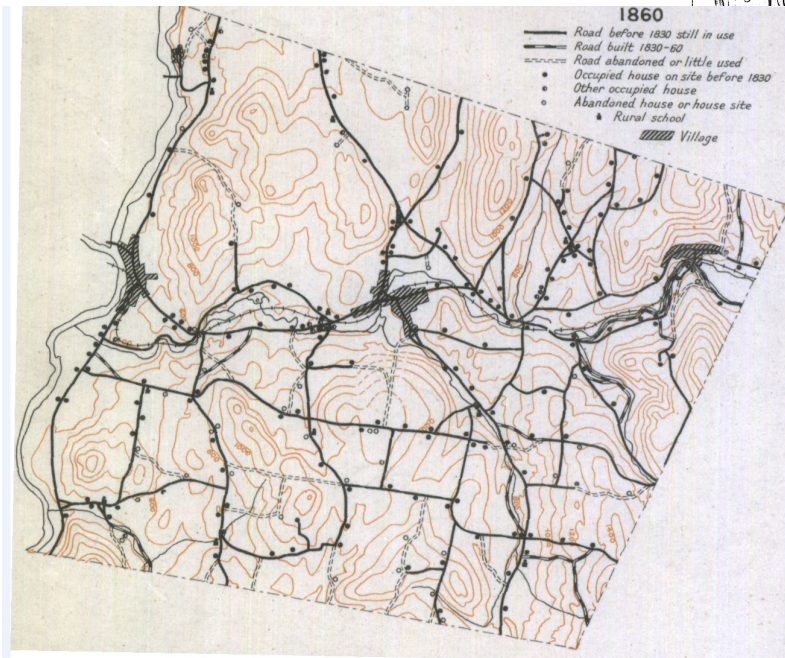
Source: Torbet assembled
this map based upon road
layout & homestead
descriptions contained within
the Lebanon Town Records



Date: 1860

Cartographer: Torbet, 1932

Source: Torbet assembled this map based upon road layout & homestead descriptions contained within the Lebanon Town Records



1855 Hurd Map



1860 Wailing



LEBANON

GRAFTON CO.

0 1 2 3 MILE

Date: 1892

Title: Town and City Atlas of the State of NH

Main Author: D. H. Hurd

Publication Info: Hurd Atlas

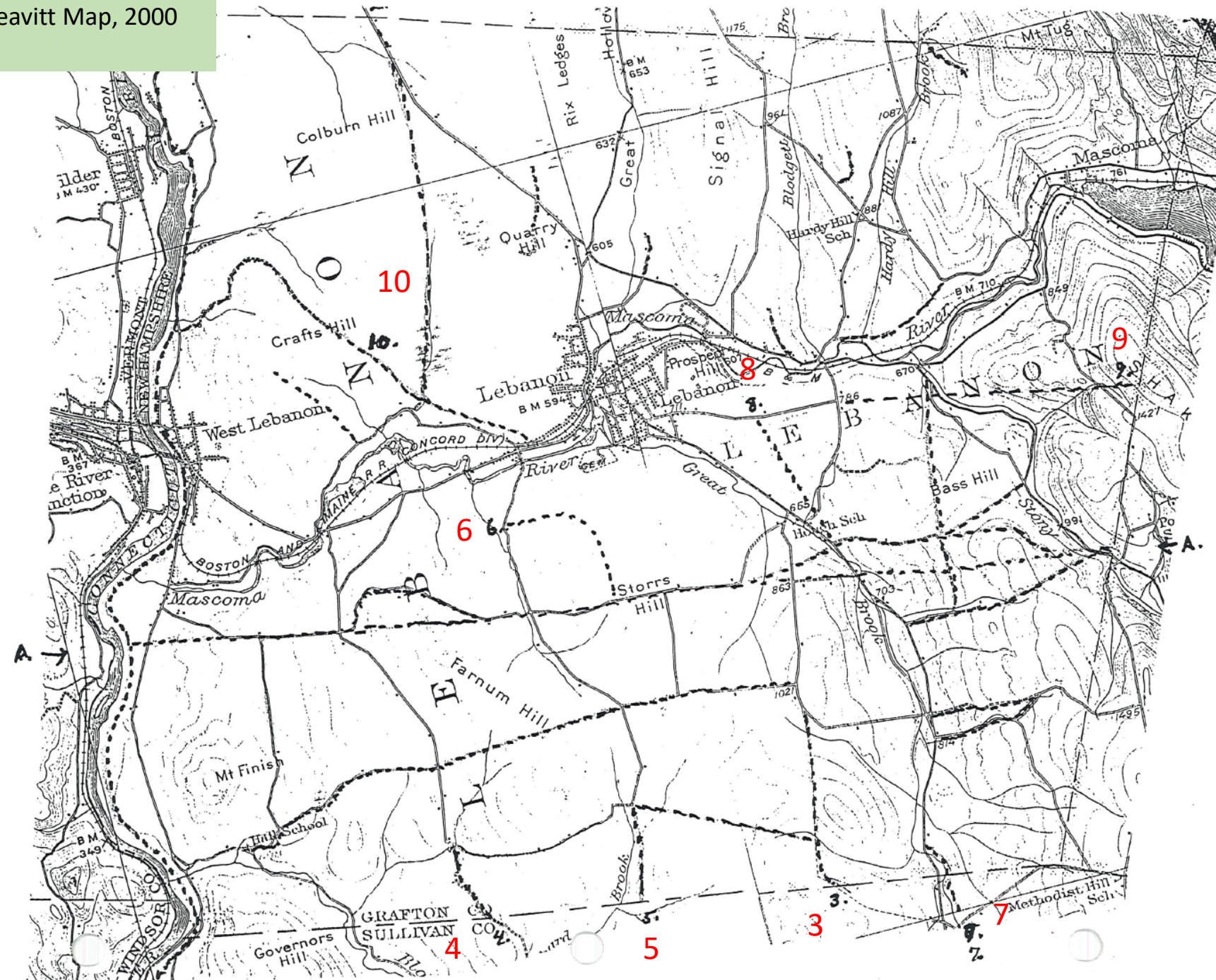
Misc: 1892 Atlas



From: Town and City Atlas of the State of New Hampshire, 1892
Old maps, West Chesterfield, N.H.03466

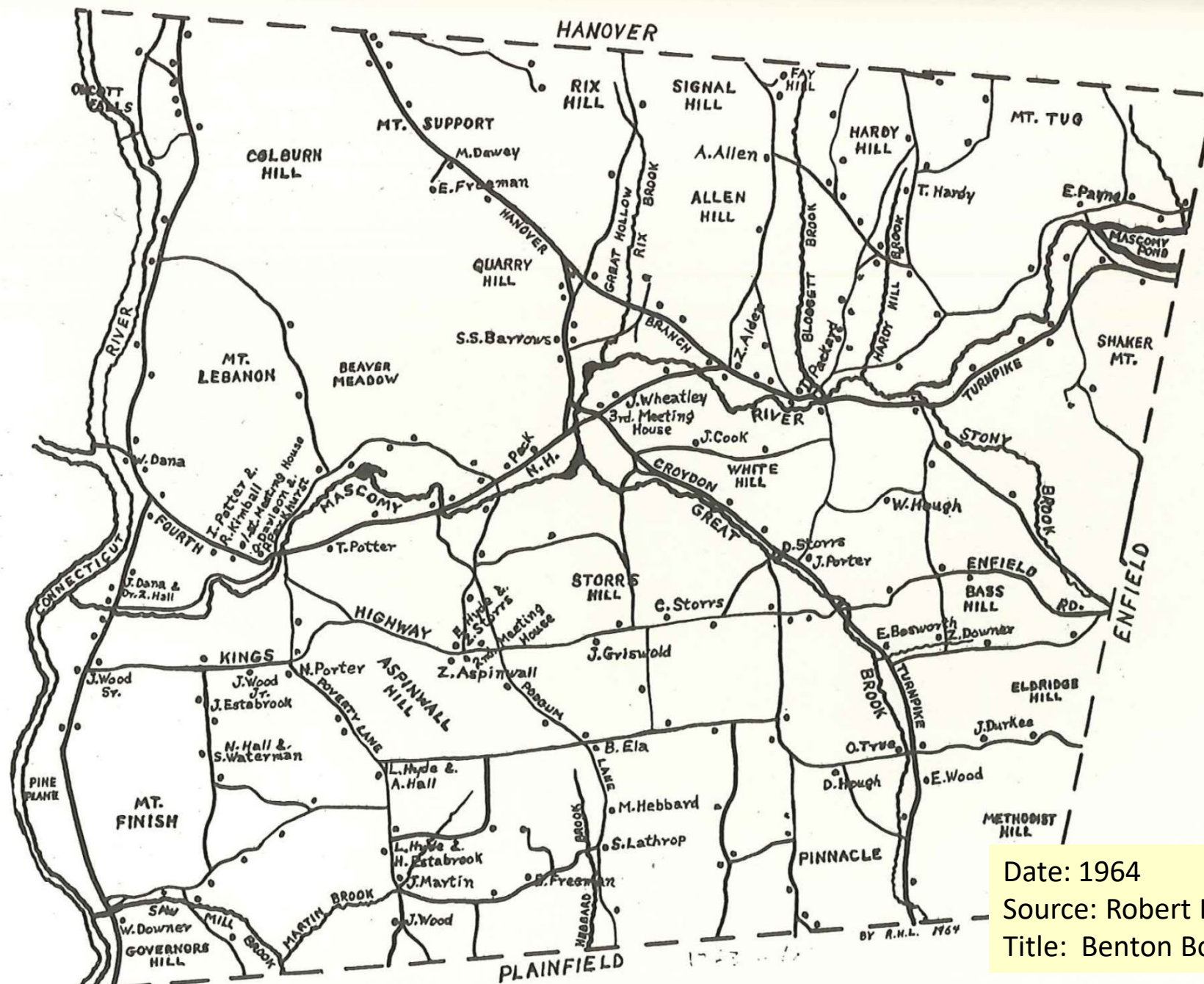
1892 map (enlarged)





White Pine Blister
Map 1937

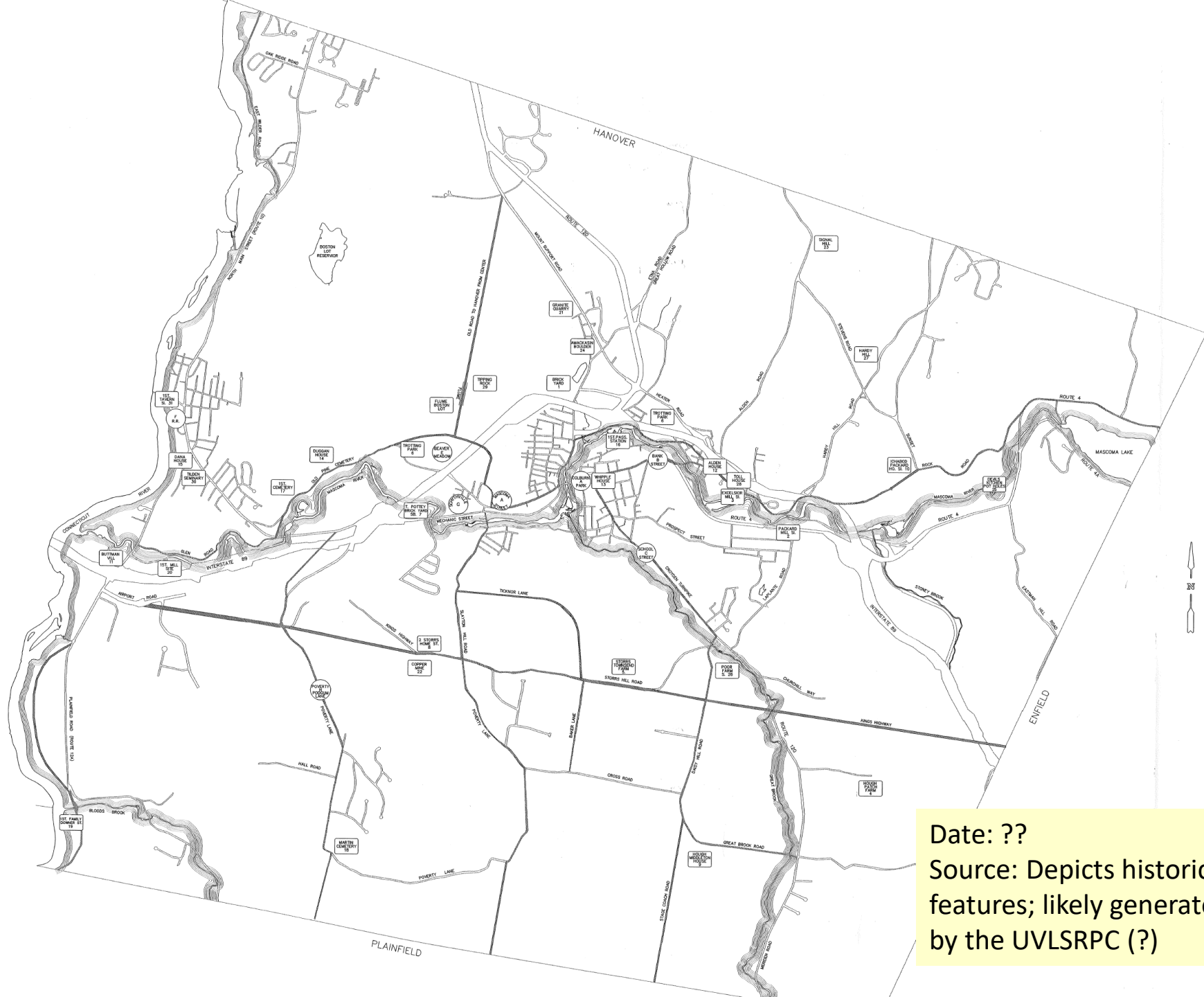




Date: 1964

Source: Robert Leavitt

Title: Benton Book



Date: ??
Source: Depicts historic features; likely generated by the UVLSRPC (?)

SUBDIVISION PLAN

AUDRA D. SMITH (50%) & LOIS HULL (50%)

TAX MAP 120, LOT 3

Lebanon, Grafton County, New Hampshire

11-11-11

Revision Date

Revision Description

11-16-11

IN-HOUSE EDITS

11-22-11

REVIEW FOR TAC COMMENTS

Scale: 1"=200'

Dr. By: DS Ck By: DJ

H.E.S. Job No. 1120286

Field Book No.

Field Book Page No.

Sheet No. 2 of 2

50 Old Sacoak Road - Unit #1

75 Box 480 Concord, N.H. 03302

(603) 225-6448

9 Constitution Drive

Bedford, N.H. 03110

(603) 472-2078

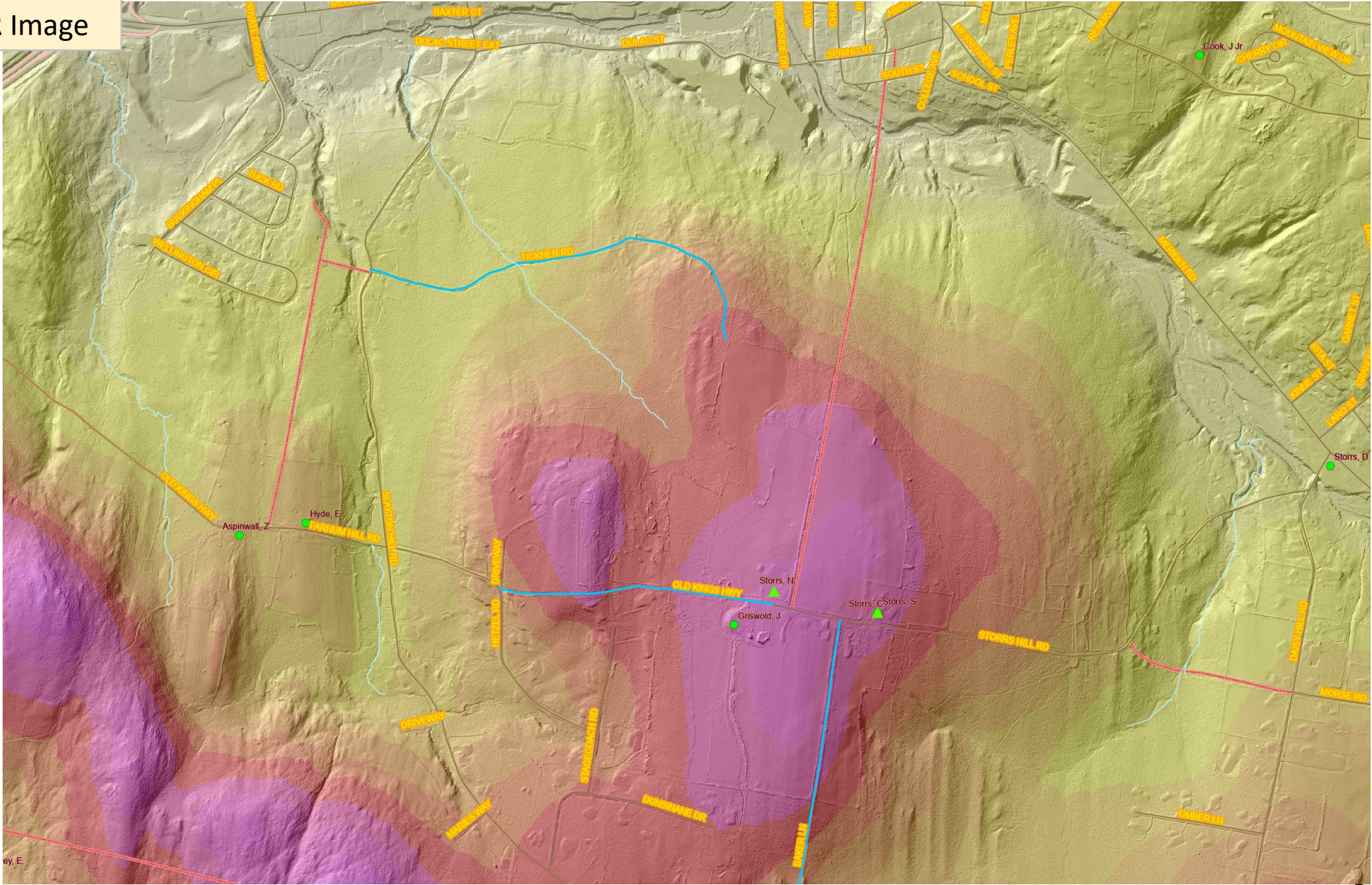
Holden Engineering & Surveying, Inc.

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The Prophet and the Doctor

It seems only fitting that Lebanon should have a Mormon Church, in light of the fact that the founder of that religion, Joseph Smith, once lived in town, where he encountered another famous Smith who saved his limb if not his life.

Joseph Smith moved here with his family as a boy in 1811, the year before a great typhoid epidemic struck the region.

Typhoid, smallpox, and scarlet fever were among the diseases that kept life expectancy down and had prompted the town to build a “pest house” near Storrs Hill to quarantine the seriously ill.

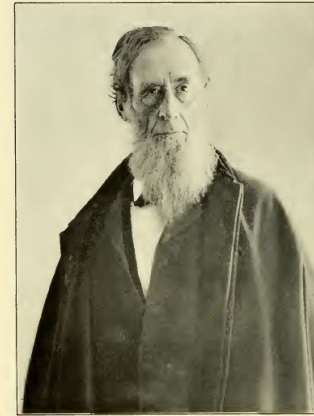
“The spotted fever is still ravaging various parts of the country,” wrote Dartmouth Medical School founder Dr. Nathan Smith in a letter to a friend in 1811. “I saw four persons sick of that terrible disease at Bath a few days since. Two children, who were taken the morning of the same day I was there, died before noon.” The “spotted fever” was typhoid, and a strongly worded letter from Dr. Smith to a Yale professor in March 1813 indicates that the epidemic was so severe in the Lebanon area that it forced Dr. Smith to postpone a visit to New Haven:

Downs – “Pest House?”

INTRODUCTION.

11

very prevalent, greatly weakening the army and preventing the success of its operations. We find that this year a **pesthouse** was established in town for the purpose of inoculation for that disease. This house was under the charge of Doctor Williams. The town voted, “that such of the people of the town as are Disposed to be inoculated shall have the preheminance before the people of other towns & in case there is sufficient room in the pest-house for others besides, that Doct. Williams has the Liberty to take in such a number as may be conveniently admitted without crowding said house.” They further make stringent provisions concerning visits to the **pesthouse**.



REV. CHARLES A. DOWNS.

HISTORY OF LEBANON, N. H.

1761-1887

BY
REV. CHARLES A. DOWNS

ILLUSTRATED

CONCORD, N. H.
RUMFORD PRINTING CO.
1908