

FINAL

CLASS VI ROADS ADVISORY COMMITTEE
REGULAR MEETING AGENDA
Remote via Microsoft Teams
LebanonNH.gov/Live
Thursday, April 1st, 2021
6:30 PM

MEMBERS PRESENT: Stephen Wood, Erling Heistad, Joan Monroe, Barbara Hirai, Colin Smith

MEMBERS ABSENT: Marc Coleman

STAFF PRESENT: Mark Goodwin (GIS Coordinator)

1. CALL TO ORDER: Chair Stephen Wood called the meeting to order at 6:32 PM

- Mr. Mark Goodwin reviewed the meeting procedures for remote meetings and NH RSA 91-A “Right to Know” requirements. A Roll Call of Commission Members who participated remotely are listed above.
- Mr. Goodwin explained that he has created an e-mail list and would be sending out pertinent information to anyone who is interested in the Class VI Roads Advisory meetings. If you would like to be added to the list or know someone who may be interested, please let Mr. Goodwin know.

2. APPROVAL OF MINUTES:

A. March 4th, 2021

Mr. Heistad MOVED to approve the March 4th, 2021 Minutes as presented in the April 1st, 2021 agenda packet.

Seconded by Ms. Monroe.

Roll Call Vote:

Erling Heistad, Barbara Hirai, Joan Monroe, Stephen Wood and Colin Smith all voting Yea.

None voted Nay.

** The Vote on the MOTION was approved (5-0).*

B. March 18th, 2021

Mr. Heistad MOVED to approve the March 18th, 2021 Minutes as presented in the April 1st, 2021 agenda packet.

Seconded by Ms. Hirai.

Roll Call Vote:

Erling Heistad, Barbara Hirai, Joan Monroe, Stephen Wood and Colin Smith all voting Yea.

None voted Nay.

*** The Vote on the MOTION was approved (5-0).**

3. STUDY ITEMS:

A. Review and Discussion of the Class VI Portion of Alden Road (#5)-Continued from March 18th, 2021- Mr. Goodwin re-capped the previous conversation during the March 18th, 2021 Class VI Roads Meeting. Mr. Goodwin put up the template for Alden Road and went through it. He explained that the Historical Right of Way was distinguishable, there were some erosion issues on the southern portion of the Road, and there was no vegetative overgrowth on the Roadway. The Road supported hiking, mountain biking, seasonally, it was not passable by auto, but you could use a 4X4 to travel the Road. Discussion was had among the Board members on whether the Road would support mountain biking.

Mr. Lawrence MacLeod said he walked the Road two days ago. He has known the Road for over 60 years, his family has owned property along it for a very long time. He said that the Road from Ms. Mary Wallace's house halfway down to the Day property was in better shape than it had been in decades. He agreed that below the power lines it was all ledges.

The Board continued to go over the template. They went over Current Users. The Board said that snowmobilers used the Road, occasionally, and that hikers, mountain bikers, abutters, and wheeled vehicles all used the Road. They also marked that the Road could be used for other things such as horseback riding. Discussion was had on uses by the Board and the abutters.

Under Potential Future uses the Board had hiking network, biking network, emergency use access, and Lebanon Class 5 Road network all marked as a yes. Mr. Goodwin said his observation, after hiking the Road, was that it mostly supported everything up to the powerlines. Chair Wood commented that it sounded like Alden Road was being characterized differently from one end to the other.

The Board further discussed Alden Road. Mr. Goodwin said if he were making the recommendation, he would say from Stevens Road down to the turnaround would stay as a Class VI Road and from the bottom "Y" part, it sounded like it was not a Road, it was more of a trail.

Chair Wood went over the difference between a Class VI Road and a Class A Trail for the public. Mr. Heistad said that the top section from the Morse's down to the turnaround intersection at the powerline and Dorothy Perley Road deserved to stay as a Class VI Road. He went on to say the section coming down was much more like climbing Cardigan when you head up over the ledges. He said it was more conducive to being a trail than a road.

Chair Wood explained what the decisions the Board could make and went on to explain that it was their job to protect the future of these public rights of way. He also pointed out that the decisions that the Board made were merely recommendations and that the City Council had the ultimate authority to decide what the Road would become.

Mr. Smith agreed with Mr. Heistad's observations. He thought that the top section of the Road was fine and should be a Class VI Road and that the lower section was more a Class A Trail so that it could be protected and that the uses, especially this time of year, could be managed.

Ms. Hirai agreed that the upper part of the Road could stay a Class VI Road. She felt that the discussion really was, how much do you limit the bottom section of the Road. Chair Wood said that could be the discussion if a Motion was made.

Mr. Heistad MOVED that the Class VI Road Committee recommends that the Lebanon City Council reclassify the following portion of the Class VI part of Alden Road as a Class A Municipal Trail, as defined in RSA 231-A:1(1). The reclassified portion shall begin at the northern end of the southern Class V part of Alden Road, and run northerly to the point where Alden Road intersects Dorothy Perley Road, as shown on the City of Lebanon Draft Class VI Roads Map, printed May 2014. The Committee further recommends this reclassified Class A portion of Alden Road be subject to the following public trail use restrictions: Permitted means of travel shall be A) feet, skis, snowshoes; B) horses and bicycles, ridden appropriately for a multipurpose trail, when the City deems that the conditions of the trail warrant their use, and C) snowmobiles, ridden appropriately for a multipurpose trail, when snow cover is adequate to warrant their use. Notwithstanding these permissions, none of these uses shall be allowed in a manner, or in conditions that will encourage erosion, or otherwise damage the trail. All other wheeled vehicles or motorized vehicles, on or off road, shall be prohibited, excepting the allowed vehicular uses of abutting landowners for access of their land as set forth in RSA 231-A:1(1). The Public Works Director shall cause to be posted legible signs at the entrance to the trail describing the restrictions contained herein, as provided by RSA 231-A:4.

Seconded by Ms. Monroe.

Mr. Heistad said he felt that the Motion he made was in keeping with similar Motions that had been made in the past. Ms. Hirai said she was fine with the Motion but was interested in what the people from the community would like to say. Chair Wood thought that it was a very good Motion that was made.

Mr. MacLeod, member of the public, said he would oppose the Motion and believed the whole Road should continue as a Class VI Roadway. He said he believed that if the Road were made into a Class A Trail, the landowners who abutted the Trail could not build on their property. He felt it would be extinguishing, albeit temporarily, landowner's property rights. He said he had spoken to the Slacks and Mr. Derek Day and from their prospective they had no interest in the Road being converted into a Trail.

Ms. MacLeod added that Mr. MacLeod's family had fought and lobbied against the building that occurred because they wanted to conserve that area, and they lost. At this point in time the MacLeod's have no plans on doing anything with their lot, but the downgrading of the Road to a Trail, does have some effect on her future generations. She was concerned with her future and did not want to have her children and future generations bound by the decision. She said they (MacLeods) were objecting to the Motion and knew that the Slacks would object to the Motion as well. She said, in this instant, she saw no value in change.

Chair Wood said that the Board was just advising the City Council. He said the Board had not been in the habit in making recommendations by the inclinations of the abutters but by thinking of the future condition and use of the Road for the public. Chair Wood said he was not persuaded from his view currently.

Ms. Hirai asked if there was a way to protect the lower part of the Road with signage if it was kept a Class VI Road or was the best way to protect that area be by turning it into a Class A Trail? Attorney Decker

said that signs could be posted with weight limit restrictions during the muddy times of the year. He was looking into the details of that. He said the difficult thing would be the enforcement of the signs. Chair Wood agreed that enforcement was the issue. He said the question was, would the Board recommend protecting the Road or leave it as it is? Mr. Smith said that he was looking at the Tax Map and there were 2 lots that abutted the section of the Road the Board was discussing turning into a Class A Trail. He said by the look of it, one lot had frontage on Heater Road and the other lot could be accessed by the Class VI portion of the Road.

Ms. MacLeod said that she heard Chair Wood say the concern of the Board was for future public use and she agreed that the abutters concerns were also for their future uses. Turning it into a Class A Trail would put the burden on the abutters to go back to the City Council to ask for the Class A Trail to be turned back into a Class VI Road.

Mr. Goodwin and Chair Wood discussed the Road protection and who would be affected by the change in status of the Road. Ms. Monroe said she thought that most of the time, when the Board recommended turning a Road or part of a Road into a Class A Trail, the abutters liked that idea. In this situation she was hearing that the people that abutted the Road were less concerned about the quality of the Road and so she has decided that she no longer supports the Motion that she seconded. She was ready to vote on the Motion.

Mr. Heistad said that the Board had a responsibility to protect the Roads that they were involved with. He said the more they could keep the land from being abused, the better it was for future generations. Ms. Monroe said she felt that the abutters had a right to be concerned with how a future City Council might vote to change a Trail back into a Road. It would depend on who was sitting on the Council at that time.

Discussion continued to take place among the Board members on the Road.

Roll Call Vote:

Erling Heistad, Barbara Hirai, Stephen Wood, and Colin Smith all voting Yea.

Joan Monroe voted Nay.

**** The Vote on the MOTION was approved (4-1).***

B. Review and Discussion of the Class VI portion of Dorothy Perley Road (#4)-Continued from March 18th, 2021-Chair Wood wondered if the Board would have enough time to discuss Dorothy Perley Road or if it should be discussed at the next meeting.

Mr. Heistad MOVED to extend the meeting by 30 minutes.

There was no second for this Motion, so no vote was taken.

Ms. Hirai thought that they should move to adjourn with hope that more members of the public would attend the next meeting.

Ms. Monroe MOVED to extend the meeting to 8:05 PM.

Seconded by Mr. Heistad.

Roll Call Vote:

**Stephen Wood, Erling Heistad, Barbara Hirai, Joan Monroe, and Colin Smith all voting Yea.
None voted Nay.**

**** The Vote on the MOTION passed (5-0).***

4. OTHER BUSINESS: The meeting on April 15th, 2021 has been cancelled. The next meeting will be held on the first Thursday in May 2021.

5. ADJOURNMENT:

A MOTION was made by Ms. Monroe to adjourn the meeting at 8:05 PM.

The MOTION was seconded by Ms. Hirai.

Roll Call Vote:

**Colin Smith, Erling Heistad, Barbara Hirai, Joan Monroe, and Stephen Wood, all voting Yea.
None voted Nay.**

**** The Vote on the MOTION was approved (5-0).***

Respectfully submitted,
Barbara Higgins
Recording Secretary