

TOWN OF GILMANTON
CLASS VI ROADS COMMITTEE
WEDNESDAY, JUNE 18, 2008
ACADEMY BUILDING – 7 p.m.
MINUTES OF WORK SESSION

Present: Chair Ella Jo Regan, Carolyn Baldwin, Dick deSeve, John Funk, Sue Hale deSeve, Doug Isleib, Nanci Mitchell, George Roberts, Brenda Sens, and Planning Administrator Lynne Brunelle.

It was noted that Michael Jean was also in attendance.

Committee Chair E. Regan opened the meeting at 7:06 p.m. and addressed the first order of business; the acceptance of minutes.

ACCEPTANCE OF MINUTES: The Committee members reviewed the minutes from the 6/4/08 meeting. Extensive discussion occurred regarding language pertaining to the dialogue and decision for Lougee Road.

Motion: C. Baldwin moved to accept the minutes of 6/4/08 as amended. N. Mitchell seconded the motion. Further discussion ensued regarding the Committee's recommendation for Lougee Road. G. Roberts expressed his opinion that the Committee's discussion was somewhat arbitrary. J. Funk agreed but clarified that the Committee has basically three choices: (1) to leave as Class VI with no building recommended; (2) to leave as Class VI but allow some building; (3) to permit upgrade to Class V and allow building. E. Regan reminded the Committee that this is just a recommendation to the Board of Selectmen and its decision will depend upon the adopted policy and information available.

Motion: C. Baldwin moved to change the Committee's recommendation contained within the 6/4/08 minutes from #1 "to leave as a Class VI Road with no building recommended" to #2 "to leave as a Class VI Road but allow some building". G. Roberts seconded the motion. N. Mitchell noted that all the lots on Lougee Road also have frontage on a Class V road, therefore, the point is moot. C. Baldwin agreed and in turn withdrew the motion.

Motion: G. Roberts moved to change the recommendation from #1 to #2 "to leave as a Class VI Road but to allow some building". D. Isleib seconded, vote 2-6-1. G. Roberts, D. Isleib – affirmative; C. Baldwin, E. Regan, N. Mitchell, D. deSeve, S. Hale deSeve, B. Sens – opposed; J. Funk abstained. Motion failed due to lack of majority vote.

Motion: C. Baldwin moved to accept the minutes of 6/4/08 as amended, seconded by N. Mitchell. Motion carried 7-0-2, D. deSeve & S. Hale deSeve abstained, as they were not in attendance at that meeting.

DOE ROAD: The evaluation for Doe Road from the Stone Road entrance took place at the last meeting. This evening the Committee will complete the Evaluation Worksheet for Doe Road from Stage Road to Ayers Brook, which took place on Sunday 10/8/06. Those in attendance were H. Bolduc, D. Isleib, M. Morrill and B. Sens.

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The road contains steep slopes averaging 15%, some wetlands, woodlands, farmland and beautiful views of the mountains. The Committee members agreed that parts of the road are suitable for upgrade but otherwise it should remain Class VI.

Motion: S. Hale deSeve moved to incorporate the changes to the Evaluation Work Sheet for Doe Road from Stage Road to Ayers Brook. No changes shall be made to the Committee's recommendation to remain a Class VI Road but to allow some building. N. Mitchell seconded, motion carried 8-0-1, G. Roberts abstained.

MILL ROAD: The road walk took place on Friday 5/10/08 with N. Mitchell and her husband Charlie Mitchell. D. deSeve also walked the road on 5/20/08. The road walk began on Elm Street in the Iron Works just north of the bridge over the Suncook River. The road is 1,908' long and ends on NH Route 140 across from Crystal Lake Road.

Brenda McBride, who lives at the corner of Rt. 140 and Crystal Lake Road, was invited to the road walk but was not able to attend. However, she did forward a letter to the Committee and at this time the letter was read into the record. Ms. McBride conveyed that she would like the road to remain "as is" with no building or upgrade. She suggested that it be considered for use as a low impact recreational trail. The Committee expressed appreciation for Ms. McBride's input.

The question was asked whether Mill Road falls within the floodplain? N. Mitchell believes that it is, and that it is also subject to the Comprehensive Shoreline Protection Act (CSPA) even though the road is much higher than the river. She continued that she asked abutter Eliza Brown what they would like to happen to the road. Eliza said do not want it upgraded, they would like to see it become a historical park or trail.

G. Roberts stated that it would be difficult to upgrade due to land features and existing buildings. He continued that any houses located at the intersections of Mill Road/Route 140 and/or Mill Road/Elm Street would run into setback and zoning issues if the road were upgraded.

The Committee continued its completion of the Evaluation Worksheet and learned that the Suncook River is a Class 4 river, the wildlife found in the area include raptors, bear and deer, and there also exist vernal pools. The Committee expressed concern regarding protecting the water quality of the river. G. Roberts conveyed that this was the location of several old mill sites and at one time there was talk of building a hydroelectric facility in the Iron Works. If the Class VI Road Committee were to reclassify Mill Road as a trail or recommend that it remain Class VI with no building, then this couldn't be done; and this may be something the town might need in the future.

Discussion occurred regarding how the municipality would go about reclassifying the road as a trail. N. Mitchell referenced "A Hard Road to Travel" and determined that Mill Road could be reclassified as a Class "A" trail and the process that must occur to do so.

G. Roberts expressed that if it were reclassified it would remove the property rights to access and/or subdivide. He further noted that the Town's Master Plan encourages growth in the Village Districts, in which this road is located.

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Motion: G. Roberts moved that the Class VI Road Committee recommend to the Board of Selectmen that Mill Road remain as Class VI and allow some building. J. Funk seconded the motion and discussion occurred. D. deSeve addressed the fact that the Master Plan encourages growth in the town centers; however, this is an exception, as it is not an existing upgraded road and it is not conducive to development. N. Mitchell walked the road and conveyed that there are very steep areas that could not be built on. D. Isleib asked if the Committee voted to leave as Class VI, could it be upgraded by subdivision? It was determined that upgrade would be allowed incrementally. The Chair called for a vote 1-7-2. G. Roberts – affirmative; C. Baldwin, E. Regan, N. Mitchell, D. Isleib, D. deSeve, S. Hale deSeve, B. Sens – opposed; J. Funk - abstained. Motion failed due to lack of majority vote.

Motion: D. deSeve moved that the Class VI Road Committee recommend to the Board of Selectmen that Mill Road be reclassified as a Class A Trail. N. Mitchell seconded the motion. Discussion occurred regarding the procedures to reclassify a road as a trail as per RSA 231-A. The motion was withdrawn.

Motion: N. Mitchell moved that the Class VI Road Committee recommend to the Board of Selectmen that Mill Road remain as Class VI with no building and to form a Study Committee to address the possibility of reclassifying it as a trail. D. deSeve seconded the motion, vote passed 8-0-1, G. Roberts abstained.

OTHER BUSINESS

Draft Policy: E. Regan distributed an outline worksheet to jumpstart the Committee's creative juices for the beginnings of some policy language. C. Baldwin had forwarded a draft policy to the Committee members based on the outline. D. Isleib questioned why we are creating a policy when there are so many model ordinances to refer to. G. Roberts stated that the statutes are clear that the Board of Selectmen may grant building permits on Class VI Roads (RSA 674:41) based on the condition of the road. E. Regan responded that Gilmanton is unique and other ordinances do not necessarily fit with all towns as policy. She continued that the Selectmen requested a draft policy and it is the Committee's mission to provide at least a guideline, such as: (1) walk the road with the Selectmen, Road Agent and applicant to view the condition of the road and determine the level of maintenance and whether a waiver of liability is required; (2) as per the RSA, notify the abutters and obtain recommendations from the Planning Board; (3) create the specifications based on the individual plan because each road is different and not all will require the same level of upgrade. B. Sens would like to develop a policy that encourages open space and retains rural character while allowing the landowner appropriate use of their property.

J. Funk stated that the policy would be addressing two separate issues regarding Class VI Roads, which are (1) whether there should be building on the road, and (2) whether it should be upgraded. C. Baldwin suggested that there should be a distinction between these two activities, (1) upgrade to asphalt standard, or (2) upgrade to gravel (country road) standard. The Committee would like to see the Town's current policy for Private roads. L. Brunelle will provide this information at the next meeting. In the meantime, E. Regan asked the Committee members to keep working on the outline and to consider draft language.

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NEXT MEETING: E. Regan will be out of town until the end of July, therefore, the next meeting was scheduled for Wednesday, July 30th at 7 p.m.

ADJOURNMENT:

On a motion made by N. Mitchell and seconded by B. Sens, vote passed unanimously. Meeting adjourned at 9:05 p.m.

Respectfully submitted,

Lynne R. Brunelle