

**CONSENT CALENDAR**

**March 1, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Resources, Recreation and  
Development to which was referred HB 1109,**

**AN ACT relative to approval for off highway  
recreational vehicles use on class V and class VI roads.**

**Having considered the same, report the same with the  
following amendment, and the recommendation that  
the bill OUGHT TO PASS WITH AMENDMENT.**

**Rep. Andrew Renzullo**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

<b>Committee:</b>	<b>Resources, Recreation and Development</b>
<b>Bill Number:</b>	<b>HB 1109</b>
<b>Title:</b>	<b>relative to approval for off highway recreational vehicles use on class V and class VI roads.</b>
<b>Date:</b>	<b>March 1, 2022</b>
<b>Consent Calendar:</b>	<b>CONSENT</b>
<b>Recommendation:</b>	<b>OUGHT TO PASS WITH AMENDMENT 2022-0775h</b>

### STATEMENT OF INTENT

This bill, as introduced, is an act relative to the approval for off highway recreational vehicles (OHRV's) use on class 5 and class 6 roads. Presently the authority for such approvals rests with the Boards of Selectmen. This bill transfers the approval authority to the legislative body of the municipal entity (i.e, town meeting for Towns, etc.) The committee has been involved, for several sessions, in the issue of OHRV use being allowed on public roads. The committee feels that the legislative deliberations (like town meetings) are best suited for this approval process due to (among other items) the level of public notice, the attendance of town voters and the number of residents involved in the decision making process. The amendment added class 4 roads to the class 5 & class 6 roads affected, as enumerated in the original bill. Class 6 roads are not maintained by the town, class 5 roads are maintained town roads, and class 4 roads are roads in a compact area. The amendment also clarified the wording of the approval process and the rescission process; making it clear that the approval authority rests with the legislative body and the rescission authority also rests with the legislative body.

Vote 21-0.

Rep. Andrew Renzullo  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Resources, Recreation and Development

**HB 1109**, relative to approval for off highway recreational vehicles use on class V and class VI roads.  
**OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew Renzullo for Resources, Recreation and Development. This bill, as introduced, is an act relative to the approval for off highway recreational vehicles (OHRV's) use on class 5 and class 6 roads. Presently the authority for such approvals rests with the Boards of Selectmen. This bill transfers the approval authority to the legislative body of the municipal entity (i.e, town meeting for Towns, etc.) The committee has been involved, for several sessions, in the issue of OHRV use being allowed on public roads. The committee feels that the legislative deliberations (like town meetings) are best suited for this approval process due to (among other items) the level of public notice, the attendance of town voters and the number of residents involved in the decision making process. The amendment added class 4 roads to the class 5 & class 6 roads affected, as enumerated in the original bill. Class 6 roads are not maintained by the town, class 5 roads are maintained town roads, and class 4 roads are roads in a compact area. The amendment also clarified the wording of the approval process and the rescission process; making it clear that the approval authority rests with the legislative body and the rescission authority also rests with the legislative body. **Vote 21-0.**

Original: House Clerk

Cc: Committee Bill File

Amendment to HB 1109

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to approval for off highway recreational vehicles use on class IV, class V, and  
4 class VI roads.

5

6 Amend the bill by replacing section 1 with the following:

7

8 1 Operation of All OHRVs; OHRV Operation on Sidewalks, Class IV, Class V, and Class VI  
9 Roads. Amend RSA 215-A:6, IX to read as follows:

10 IX.(a) Pursuant to RSA 215-A:15, and following a duly noticed public hearing advertised at  
11 least 14 days in advance in a public location in the city or town and notification to abutters by  
12 verified mail pursuant to RSA 21:53, city or town councils and boards of selectmen may authorize  
13 the use of sidewalks [~~and class IV, class V or class VI highways and bridges, or portions thereof,~~] for  
14 use by OHRVs. The operation of OHRVs may also be allowed on sidewalks adjacent to class I, II, III,  
15 or III-a highways pursuant to RSA 236:56, II(e). [~~Operators of OHRVs using said roads, or portions~~  
16 ~~thereof, shall keep to the extreme right and shall yield to all conventional motor vehicle traffic.] The~~  
17 bureau, or its designee, shall so post such highways where authorized. Following a duly noticed  
18 public hearing, except in the case of an emergency closure, such city or town authorities may change  
19 the allowable usage of [~~a class IV, class V, or class VI highway]~~ *sidewalks* by OHRVs by giving  
20 notification to the supervisor of the bureau and removing any signs that no longer apply. The  
21 petitioner shall bear the expense of verified mail notification to abutters of property for which OHRV  
22 use is sought under this paragraph.

23 (b) *By a majority vote of the legislative body of a city or town at any legal*  
24 *meeting after notice and hearing, and following notification to abutters by verified mail*  
25 *pursuant to RSA 21:53, a city or town may authorize the use of class IV, class V, and class*  
26 *VI highways for use by OHRVs. Operators of OHRVs using said roads, or portions thereof,*  
27 *shall keep to the extreme right and shall yield to all conventional motor vehicle traffic.*  
28 *The bureau, or its designee, shall so post such highways where authorized. Except in the*  
29 *case of an emergency closure, by a vote of the legislative body of a city or town at any legal*  
30 *meeting after notice and hearing, and following notification to abutters by verified mail*  
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32 *change the allowable usage of a class IV, class V, or class VI highway by OHRVs by giving*

**Amendment to HB 1109**

**- Page 2 -**

- 1 notification to the supervisor of the bureau and removing any signs that no longer apply.**
- 2 The petitioner shall bear the expense of verified mail notification to abutters of property**
- 3 for which OHRV use is sought under this paragraph.**

**Amendment to HB 1109**  
**- Page 3 -**

2022-0775h

**AMENDED ANALYSIS**

This bill changes the approval procedure for OHRV use of class IV, class V, and class VI roads.

**HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT**

**EXECUTIVE SESSION on HB 1109**

**BILL TITLE:** relative to approval for off highway recreational vehicles use on class V and class VI roads.

**DATE:** February 23, 2022

**LOB ROOM:** 305 - 307

**MOTIONS: OUGHT TO PASS WITH AMENDMENT**

Moved by Rep. Harb                                      Seconded by Rep. Harvey-Bolia                      AM Vote: 21-0

Amendment # 2022-0775h

Moved by Rep. Harb                                      Seconded by Rep. Harvey-Bolia                      Vote: 21-0

**CONSENT CALENDAR: YES**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep Juliet Harvey-Bolia, Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 1109

BILL TITLE: relative to approval for off highway recreational vehicles use on class V and class VI roads.

DATE: 2-23-22

LOB ROOM:

MOTION: (Please check one box)

[X] OTP as amended [ ] ITL [ ] Retain (1st year) [X] Adoption of Amendment # 0775h (if offered) [ ] Interim Study (2nd year)

Moved by Rep. Harb Secoded by Rep. Harvey-Bolia Vote: 21-0

MOTION: (Please check one box)

[X] OTP [X] OTP/A [ ] ITL [ ] Retain (1st year) [ ] Adoption of Amendment # 21-0 (if offered) [ ] Interim Study (2nd year)

Moved by Rep. Secoded by Rep. Vote:

MOTION: (Please check one box)

[ ] OTP [ ] OTP/A [ ] ITL [ ] Retain (1st year) [ ] Adoption of Amendment # (if offered) [ ] Interim Study (2nd year)

Moved by Rep. Secoded by Rep. Vote:

MOTION: (Please check one box)

[ ] OTP [ ] OTP/A [ ] ITL [ ] Retain (1st year) [ ] Adoption of Amendment # (if offered) [ ] Interim Study (2nd year)

Moved by Rep. Secoded by Rep. Vote:

CONSENT CALENDAR: [X] YES [ ] NO

Minority Report? Yes No If yes, author, Rep: Motion

Respectfully submitted: J. Harvey-Bolia Rep Juliet Harvey-Bolia, Clerk





2022 SESSION

Resources, Recreation and Development

Bill #: 1109 Motion: OTP w/ AMENDAM #: 0775h Exec Session Date: 2-23-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Renzullo, Andrew Chairman	✓		
Harb, Robert D. Vice Chairman	✓		
Hough, Gregg	✓		
Gould, Linda R.	✓		
Horgan, James F.	✓		
Creighton, Jim L.	✓		
Dodge, Dustin	✓		
Harvey-Bolia, Juliet Clerk	✓		
Healey, Robert V.	✓		
Mayville, Mary L.	✓		
Post, Lisa C.M.	✓		
Smith, Suzanne J.	✓		
Spang, Judith T. <i>WESTON</i>	✓		
Grassie, Chuck W.	✓		
Gottling, Suzanne H.	✓		
Cohen, Bruce L.	✓		
Connors, Erika F.	✓		
Vail, Suzanne M.	✓		
Kelley, Eamon P.	✓		
Moran, Melbourne R. <i>PEREZ</i>	✓		
Egan, Timothy T.	✓		



2022 SESSION

Resources, Recreation and Development

Bill #: 1109 Motion: OTP Amendment only AM #: 0775h Exec Session Date: 2-23-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Renzullo, Andrew Chairman	✓		
Harb, Robert D. Vice Chairman	✓		
Hough, Gregg	✓		
Gould, Linda R.	✓		
Horgan, James F.	✓		
Creighton, Jim L.	✓		
Dodge, Dustin	✓		
Harvey-Bolia, Juliet Clerk	✓		
Healey, Robert V.	✓		
Mayville, Mary L.	✓		
Post, Lisa C.M.	✓		
Smith, Suzanne J.	✓		
Spang, Judith T. <u>WESTON</u>	✓		
Grassie, Chuck W.	✓		
Gottling, Suzanne H.	✓		
Cohen, Bruce L.	✓		
Connors, Erika F.	✓		
Vail, Suzanne M.	✓		
Kelley, Eamon P.	✓		
Moran, Melbourne R. <u>PEREZ</u>	✓		
Egan, Timothy T.	✓		

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2022-0775h

**AMENDED ANALYSIS**

**This bill changes the approval procedure for OHRV use of class IV, class V, and class VI roads.**

**HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT**

**PUBLIC HEARING ON HB 1109**

**BILL TITLE:** relative to approval for off highway recreational vehicles use on class V and class VI roads.

**DATE:** February 2, 2022

**LOB ROOM:** 305 - 307                      **Time Public Hearing Called to Order:** 1:05 p.m.

**Time Adjourned:** 1:30 p.m.

**Committee Members:** Reps. Renzullo, Harb, Harvey-Bolia, Hough, Gould, Horgan, Creighton, Dodge, Healey, Mayville, Post, Suzanne Smith, Grassie, Gottling, Cohen, Connors, Vail, E. Kelley and Egan

**Bill Sponsors:**

**Rep. Renzullo**

**Rep. Gould**

**Rep. Gottling**

**TESTIMONY**

\* Use asterisk if written testimony and/or amendments are submitted.

**Chair Andrew Renzullo** introduced his bill saying that the bill switches the authority for approval to the legislative authority rather than the Board of Selectman.

**Chris Gamache, NHOHVA** spoke against the bill saying that the process is not broken and would be complicated when it comes to closing the road.

**Abby Eranloun** spoke in favor of the bill.

**Boyd Smith** spoke in support clarifying that he was initially against.

Respectfully submitted,

Rep. Juliet Harvey-Bolia  
Clerk



# House Remote Testify

## Resources, Recreation and Development Committee Testify List for Bill HB1109 on 2022-02-02

Support: 34 Oppose: 5 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Dolkart, Vivian	Grantham, NH viviandolkart@comcast.net	A Member of the Public	Myself	Support	No	No	1/30/2022 2:47 PM
Dontonville, Anne	Enfield, NH Ardontonville@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2022 3:02 PM
Tucker, Katherine	Wilmot, NH katherine.s.tucker@valley.net	A Member of the Public	Myself	Support	No	No	1/30/2022 3:44 PM
Dontonville, Roger	Enfield, NH rdontonville@gmail.com	An Elected Official	Myself	Support	No	No	1/30/2022 3:49 PM
Cranage, Amy	Grantham, NH cranhan@comcast.net	A Member of the Public	Myself	Support	No	No	1/30/2022 4:31 PM
Hegfield, Laura	Amherst, NH laurahegfield@comcast.net	A Member of the Public	Myself	Support	No	No	1/30/2022 4:49 PM
Shamel, Susan	Hillsborough, NH Susanshamel@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2022 8:11 PM
Robinson, Ellis	Grantham, NH ellismmrobinson@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2022 8:15 PM
Glass, Jonathan	Cornish, NH jglass1063@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2022 10:24 PM
Crandell-Glass, Jane	Cornish, NH bostonjane@me.com	A Member of the Public	Myself	Oppose	No	No	1/30/2022 10:31 PM
Boyle, Mary	Cornish, NH mary.n.boyle@gmail.com	A Member of the Public	Myself	Support	No	No	1/30/2022 11:12 PM
Ford Burley, Nicole	Lebanon, NH nicole.ford.burley@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2022 9:11 AM
Stevens, Deb	Nashua, NH debstevens4ward7@gmail.com	An Elected Official	My 10K constituents	Support	No	No	1/31/2022 9:12 AM



DePuy, Charles	Lebanon, NH c.depuy@yahoo.com	A Member of the Public	Myself	Support	No	No	1/31/2022 9:43 AM
Pimentel, Rod	Henniker, NH Rod.pimentel@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/31/2022 11:31 AM
Oxenham, Lee	Plainfield, NH leeoxenham@comcast.net	An Elected Official	Myself	Support	No	No	1/31/2022 12:07 PM
Bouchard, Donald	MANCHESTER, NH donaldjbouchard@gmail.com	An Elected Official	Myself	Support	No	No	1/31/2022 12:44 PM
Higgins, Patricia	HANOVER, NH phiggins47@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2022 1:06 PM
Hamer, Heidi	Manchester, NH heidi.hamer@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/31/2022 2:16 PM
Peterson, Susan	Newton, NH susanrp@aol.com	A Member of the Public	Myself	Support	No	No	1/31/2022 5:04 PM
Duncan, Stan	Newton, NH standuncan@post.harvard.edu	A Member of the Public	Myself	Support	No	No	1/31/2022 5:41 PM
Almy, Susan	Lebanon, NH Susan.almy@comcast.net	An Elected Official	Myself	Support	No	No	1/31/2022 6:18 PM
wazir, Safiya	Concord, NH Swazir@leg.state.nh.us	An Elected Official	Myself and my Constituents	Support	No	No	1/31/2022 9:51 PM
Wells, Ken	Andover, NH kenwells3@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2022 8:29 AM
Smith, Nancy	Enfield, NH nancysmith8@me.com	A Member of the Public	Myself	Support	No	No	2/1/2022 9:11 AM
Dolkart, Kenneth	Grantham, NH kenneth.dolkart@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2022 9:14 AM
Doherty, David	Pembroke, NH ddoherty0845@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2022 9:26 AM
bory, lee	nashua, NH leebory@juno.com	A Member of the Public	Myself	Support	No	No	2/1/2022 11:37 AM
Hunnewell, Richard	Holderness, NH hunnewell.richard@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2022 12:27 PM
Hunnewell, Anne	Holderness, NH ahunne@roadrunner.com	A Member of the Public	Myself	Support	No	No	2/1/2022 12:27 PM
Bradshaw, Cam	Berlin, NH cambradshaw58@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2022 4:57 PM

Dutzy, Sherry	Nashua, NH sherry.dutzy@leg.state.nh.us	An Elected Official	Myself	Support	No	No	2/1/2022 7:40 PM
Kuemmerle, Nancy	Enfield, NH nkuemmerle@une.edu	A Member of the Public	Myself	Support	No	No	2/1/2022 7:55 PM
Hamblet, Joan	Portsmouth, NH jhamblet4@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2022 9:12 PM
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 9:45 PM
Gilman, Julie	Exeter, NH Jgilman@exeternh.gov	An Elected Official	Town of Exeter	Support	No	No	2/2/2022 4:30 AM
Campbell, Karen	Epsom, NH klyncampbell50@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 8:34 AM
Lambert, Teresa	Meriden, NH tpenni290@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 10:23 AM
Wilkie, Steven	Cornish, NH Steven.wilkie@yahoo.com	A Member of the Public	Sullivan County ATV Club as President of the club	Oppose	No	No	2/2/2022 10:43 AM



**New Hampshire Off Highway Vehicle Association**

**TESTIMONY IN OPPOSITION TO HB 1109**

**FEBRUARY 2, 2022**

To Chairman Renzullo and Members of the Resources, Recreation and Development Committee,

The New Hampshire Off Highway Vehicle Association represents 28 OHRV clubs in the state. It's Officers and Directors are volunteers from each OHRV Club representing the interests of riders and operators of all types of off highway vehicles such as ATVs, Trail Bikes, Side by Sides, UTVs, 4x4 Trucks – Jeeps and even Railroad Cars. We are here today in opposition to HB 1109 which would change the approval procedure for OHRV use on Class V and Class VI roads.

This legislation would create an imbalance between the processes for opening and closing Class V and VI roads. In 2019, HB 591 was passed which required "a duly noticed public hearing advertised at least 14 days in advance in a public location in the city or town and notification to abutters by verified mail..." Proponents of the change noted current law allows a town to withdraw an already granted authorization only after providing notice and a public hearing and the updated law would give the same rights when a town considers opening a road. HB 1109 would still allow city or town officials to close a Class V or Class VI road without the added requirement of a majority vote of the legislative body. Therefore, HB 1109 would create an imbalance, contradicts zoning ordinance laws and establish a more burdensome process for approving roads than withdrawing them.

This committee also voted in the fall to kill a committee to study the effects of recreational vehicles and other vehicles on Class V and Class VI roads. The vote was 21-0 because this committee recognized Rep. Suzanne Smith was introducing a comprehensive commission to study this issue. NHOHVA supports that work and will be speaking in support of that bill, HB 1188, later today.

We ask that you find this legislation Inexpedient to Legislate and instead pass the study commission to review such issues. We look forward to working with the study commission for years to come to ensure that the proper balance is being met between

Thank You,  
Buddy Dionne  
NHOHVA President

## Heather Goley

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**From:** bsmith@nhwwa.org  
**Sent:** Tuesday, February 1, 2022 2:51 PM  
**To:** ~House Resources Recreation and Development  
**Subject:** HB1109 - Oppose

Dear Chairman Renzullo and Committee members. I am voicing my opposition to HB1109 for the following reasons:

- OHRVs and other motorized vehicles should NOT be allowed on sidewalks (line 7)
- OHRVs allowed on public roads should meet same safety and operating standards as automobiles.
- Notified abutters should also be authorized to approve or deny a local change of use (line 17)
- Costs for State postings and local and State administration should be borne by the OHRV users (line 21).

I apologize for the lack of time to speak with the Bill sponsors in advance to learn more about the purpose and expected results of this legislation. I recommend HB1109 be tabled until work proposed under HB1188 is completed.

Thank you for your consideration,

Boyd Smith  
Concord, NH

## Heather Goley

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**From:** Tim Blagden <tsblagden@gmail.com>  
**Sent:** Wednesday, February 2, 2022 10:21 AM  
**To:** ~House Resources Recreation and Development  
**Subject:** Public testimony on HB1109, HB1128, HB1188

Dear members of the House Resources Recreation and Development Committee,

HB1188 would establish an OHRV commission. Its proposed makeup is stacked heavily with north country members yet its recommendations would apply to the entire state. I object strongly to the proposed makeup of the commission members. Please amend the committee makeup to reflect the entire state's opinions more broadly - or restrict the area of influence of the OHRV committee to Coos and Grafton Counties. As a person who develops multi use trails in central NH and has worked on rail trail issues across the state there is a real divide of opinion on whether OHRV use is welcome or not. The north country has bet heavily on this activity. Much of the rest of the state works hard to limit where OHRV use occurs because of the damage to trails and roads and the effect the machines have of discouraging other recreational uses on the same trails. Let me be clear, all the people using trails are friendly and wonderful. But the non motorized users have a strong negative reaction to the dust, noise and oil/gas smell that comes with recreating near OHRV's.

HB1128 calls for towns to bear the expense of repair for class VI roads damaged by OHRV. RSA 231:93 says municipalities have no duty of care and are not liable for class VI road maintenance. RSA 231:21-a reiterates that municipalities have no duty of maintenance of class VI roads, even though the towns can regulate their use. Towns should instead recognize OHRV use damages class VI roads and not allow their use on those roads

unless the landowners who have to maintain those roads give their permission for OHRV use and agree to maintain the road.

Also - this bill as written does not reflect the changes proposed in hb1109. So perhaps you will combine those bills.

HB1109 says abutters must be notified that OHRV use on a class V and class VI road will be discussed at a public hearing. I'd like you to consider that class VI roads are not maintained in winter. This means the owners of those properties have a high likelihood of not being present during any winter meeting where this issue is being discussed. They might have the expense of a flight or long drive to get back to town to represent themselves at a meeting. I encourage you to amend this bill to say that the hearings discussing use of Class VI roads may only take place at such times as the roads are open for use. This would also allow for better decision making by local boards and they could do an effective site visit when the road is open as opposed to a winter decision when the road is closed and covered with snow.

Best regards,

Tim Blagden

PO Box 610

Warner, NH 03278

603-748-0340

[tsblagden@gmail.com](mailto:tsblagden@gmail.com)

To House Resource Recreation and Development Committee re: HB 1109, relative to approval for off highway recreational vehicles use on class V and class VI roads

The attached letters to the editor demonstrate clearly why abutting property owners, need to be notified before *any* road or trail is opened to Off Highway Recreational Vehicles and any such change in use needs to be approved by the legislative body.

This is a small sample from just a few of the Coos County residents forced to endure the introduction of loud, polluting OHRVs into their neighborhoods. Not included are the dozens of letters and emails written directly to officials - from town select boards, all the way up to, first, Commissioner Rose, and now Commissioner Stewart.

These tax-paying residents have been reduced to 2nd class citizens, deprived of the right to enjoy their own properties.

These short videos were taken from tax-payers' yards. Just imagine if each video was the scene was in your back yard, 7 days a week, 5 months of the year, year after year after year.

OHRV traffic on the residentially zoned Route 2/ Lancaster Rd: <https://vimeo.com/manage/videos/458535874> 15 OHRVs, 5 cars and 1 camper in 70 seconds.

OHRVs revving down the Presidential Rail trail, past multiple homes: <https://vimeo.com/manage/videos/653866137>

OHRVs brapping down the Presidential Rail trail <https://vimeo.com/manage/videos/458539239>

Ride the Neighborhoods? <https://www.youtube.com/watch?v=chO1LRVWpfM>

Page 4 — THE BERLIN DAILY SUN, Thursday, November 10, 2016

LETTERS

## OHRV's don't belong in residential areas

To the editor:

We appreciate everything the Gorham Police Department did RZR weekend to address the chronic issues in our neighborhood from OHRV traffic. But, even with this visible police presence, the disturbance of the peace to our Lancaster Road/Crestwood Drive neighborhood was still overwhelming.

Many of us had to leave our homes for the weekend, again, just to get away from it. If you can imagine several hundred loud off-highway recreational vehicles that make multiple trips riding up and down your street past your home and on trails next to your backyard from sun up to after sundown, day after day, all summer and

fall long, then you will begin to get the picture.

This is too much disturbance to subject any neighborhood to and it is not just festival weekends-it's every weekend and increasingly the weekdays too.

OHRV's do not belong in a residential neighborhood.

Joel and Diane Fortier,  
Gorham

Diane Holmes, Gorham  
Michael Pelchat, Gorham

Sandy Lemire, Gorham  
Audrey and Guid Albert,  
Gorham

Mark and Heather Malia,  
Gorham

Court and Lois Stearns,  
Gorham

Nancy and Bruce Neil,  
Gorham

MY TURN

# Off-road vehicles ruining quiet town

By Abby Evankow  
For the Monitor

The news is full of stories of all the happy ATV riders flocking to Jericho Mountain State Park and riding Berlin's Main Street. But no one is hearing about the much different scene playing out at the Gorham OHRV trailhead.

The problem is simple. This trailhead brings off-highway recreational vehicle traffic, along with its noise, dust, and exhaust fumes, right into residential properties. One friend is in his home, windows shut, earplugs in, trying to pretend that his home, another neighbor is distraught because her mother was just diagnosed with cancer, and she realizes she has not had a summer family barbecue in their backyard for six years. Then there's the woman sick in bed for weeks with the virus to her formerly beautiful backyard.

Our neighbors are leaving their homes most weekends of our short summer to find peace and quiet elsewhere. They have been talking to local and state officials for years, explaining that the ability to enjoy their own homes and property has been taken from them without due process. Picture hundreds of OHRVs driving down your street, through your neighborhood, past your yard in a day.

Is this what you would want? It is against the law to own a rooster in Gorham. Abutter notification by certified letter along with a Zoning Board hearing and vote is required for a flock of chickens. "Rowl will not be a nuisance to any neighbor by means of odors or noise."

Why is the Hide the Wilds OHRV Trail not being held to this standard? We aren't the "Wilds." We are a community, on paper

shut, because it's no longer fresh summer air blowing in, but OHRV dust, exhaust and noise.

Our neighbors are leaving their homes most weekends of our short summer to find peace and quiet elsewhere. They have been talking to local and state officials for years, explaining that the ability to enjoy their own homes and property has been taken from them without due process. Picture hundreds of OHRVs driving down your street, through your neighborhood, past your yard in a day.

Is this what you would want? It is against the law to own a rooster in Gorham. Abutter notification by certified letter along with a Zoning Board hearing and vote is required for a flock of chickens. "Rowl will not be a nuisance to any neighbor by means of odors or noise."

Why is the Hide the Wilds OHRV Trail not being held to this standard? We aren't the "Wilds." We are a community, on paper

Abby Evankow lives in Gorham.



Dear Editor,

On or about June 18, 2012, I wrote a letter to this newspaper voicing my concerns and opposition to the opening of our roads and neighborhoods to ATVs.

My concerns were that this invasion of ATVs into our neighborhoods would change the culture and quality of life for Pittsburg residents. No longer are we enjoying the peace and tranquility that Pittsburg was known for and why many of us live here in the first place.

The beauty of Pittsburg, if you all remember, was that it was untouched. The last frontier! A place where fishermen and hunters, hikers, kayakers and snowmobilers alike came to enjoy the beauty, the peace and tranquility of the Great North Woods. These guests were not invasive—they were respectful and they valued our town and surrounding areas.

We lived in peace and harmony.

How can one town change so drastically in just a few years?

The ATVs have brought nothing but misery to our towns. They have caused friction among neighbors and businesses. They have taken over and caused damage to our roads. They have destroyed the peace and tranquility that every resident should be enjoying. They have made our roads dangerous to drive on. They have destroyed our quality of life.

There is a solution.

Move the sport off our roads and neighborhoods onto trails where they are not heard or seen and where they belong. Our town is not a sports arena!

Take back your town, folks!

Judith Carlucci  
Pittsburg

## Berlin Report Asking for some help and consideration 6.20.18

To the Editor:

Noise pollution is steadily increasing throughout our environment. Places of quiet solitude are becoming more and more difficult to find in New Hampshire, and throughout our country. Most Americans live in urban areas, places which are far from silent. Leaving urban areas to find peace and quiet can be difficult and time-consuming and often requires traveling over long distances. Even the modes of travel used to get away from the din of urban activity can be noisy as well. Highway traffic, commercial airlines, and trains all operate within environments having relatively high noise levels. Many folks have moved here for just this purpose, choosing to give up the urban conveniences; for a quiet rural way of life.

Now, along comes a small group of enthusiasts wanting to use vast areas of Coös County to ride their ATVs. They have lobbied town and city governments to provide downtown access to businesses catering to their needs. ATV clubs have also convinced our town fathers to allow these machines on neighborhood town roads to provide access to interconnect trails. In one instance here in Colebrook a loop using town roads has been provided to allow riders to go to and from a privately owned campground. On another town road more than five hundred ATVs go through what use to be a rural country dirt road each day creating bedlam for those residents who moved there to appreciate a quiet country life. We are not against the use of ATVs on designated trails in the woods. What we are concerned with is the increased intrusion on our rights as landowners whose rights have been compromised by this small group of people.

Numbers were taken from 2016  
New Hampshire State Statistics  
2016 NH ATV Registrations 22,321  
2016 NH State Population 1,316,470  
Only 1.7 percent of New Hampshire's popula-

tion are using ATVs yet they are demanding the use of vast tracks of our communities for their use.

We know that most people visit the "Great North Woods" to find peace, solitude and freedom from the frustrations and distractions of modern society. The vast majority of the Coös County visitors specifically want to experience natural sights, sounds and smells during their visit. These are quiet users: people and life forms that seek out and depend on natural areas on forest lands to hike, fish, relax, view nature and wildlife, escape the hustle of civilization to camp, bicycle, and paddle. Not listen to the noisy din of groups of knobby tired ATVs all in a row going by our houses and camps all day long impacting us with noise and dust.

We are asking why we as local tax payers are not being given the same considerations as is outlined in the Jericho State Park Master Plan which was written when converting this state park to dedicated ATV use. In it is clearly stated that a 500-foot buffer should be maintained between trails to allow for an undisturbed experience for riders on one trail as it affects another.

What about the same consideration for us in our quiet neighborhoods?

We are working for you our neighbors and as a voice of these quiet users, and all those who love and cherish the sensations experienced in a natural outdoor environment. We are a grassroots effort from

Colebrook, Gorham, Northumberland, Stark, Stewartstown, Stratford. We are asking you to join us in writing letters to your town governments, county and state officials, local papers and joining us to help put some conscientious controls on this rapidly growing activity in Coös County!

Richard Harris  
Colebrook

## It's time to close our roads to ATVs

To the Editor:

Let me first say that I am not against ATVs, or opposed to off-road trails. However, it's becoming clear that we have a problem, and it is time to close our roads to ATVs.

When ATVs were allowed on state and local roads five years ago, the goals were reasonable. The move was billed as a short-term action to allow access to trails where absolutely necessary, and as a stopgap until actual off-road trails were secured. The presence of ATVs on our roads has proved more negative than anyone thought, and it's time to reverse the policy.

The actual impact has been a far cry from what was expected. Lifelong residents now have to put up with sometimes hundreds of ATVs driving by during a weekend, few adhering to the speed limit, not to mention increasing problems with trespassing and damage to private property.

I have neighbors in their sixties and seventies who no longer sit on the front porches of the houses in which they were born, because there is too much dust and noise from ATVs. The peace and quiet that attracted many second home owners to the region is gone, and it's increasingly common to hear stories of people thinking of leaving. Even on lakes, people are selling.

ATVs are displacing other traditional recreational activities, like hiking, and mountain biking. Other people don't want to be around them. This has its own economic impact. Consider that the market for biking in New Hampshire is roughly seven times as large as that for OHRVing, and the market for hiking about ten times larger. Consider that we are keeping these activities (which are underdeveloped in the North Country) away from our towns by allowing ATVs free reign. Far from being a boon to the economy, the current policy is limiting our opportunity.

There are a handful of business owners who think ATVs are helping. They are mostly ATV rental own-

ers and ATV tour operators. In places like Gorham and Pittsburg there are businesses that are thriving, without ATVs having direct access. In some cases these business are actually doing better than those on the trails.

In fact, there are local business owners who feel that ATVs are hurting them economically. These people feel that ATVs drive away the tourists that have been coming to the North Country for generations. They are too afraid to speak out.

Why? To give you just one example, a campground owner in Pittsburg recently refused to allow ATVs access to his property. His property was immediately vandalized resulting in several thousand dollars in damages. Following this thuggish attempt to intimidate, he closed his land to snowmobiles too, and understandably so! No one wants to deal with physical threats, so fewer people have spoken out. People are afraid. Never mind the economic discussion. Is this who we have become as a community?

The longer this goes on, the LESS likely people are to allow ATVs on their private property. If you have had very poor experiences overall with ATVs for five years on public roads, why would you allow them on your own land? Allowing ATVs on roads is undermining the long-term goal of having a trail system in the woods!

More enforcement is not the answer. There are simply too many areas to patrol, too few Fish and Game officers, and we need them elsewhere.

Things have gotten out of hand, and it's time to take a step back. There must be common sense solutions. We can have ATVs off roads, and in the woods, without destroying our neighborhoods, other economic drivers, or even the ATV trade. ATV clubs and the concerned community might even work together on finding off-road trails, but it is past time to close all roads to ATVs.

John Petrofsky  
Stewartstown

## LETTERS TO THE EDITOR

To the Editor:

Customer feedback is important when you're running a business but it seems like no one connected to "Ride the Wilds" is paying any attention to local feedback.

Unfortunately, until the people in charge of this sport resolve the conflict of using town roads as trails versus the quality of life of local taxpayers who live on these roads, there will continue to be bad blood and unrest. While it's nice that Polaris is spending \$100,000 on signage and education, this will do little or nothing to address the biggest problem facing ATVing in the North Country.

Any money coming into the sport should first be spent on buying or leasing land in order to create a trail system that does not rely on town roads. Only then will peace and harmony return to the North Country.

If the powers that run the sport continue to ignore this problem, then perhaps some of that new signage should read "Ride the Wilds" and "Ride the Roads to Drive the Locals Wild" in order to give our guests a more accurate description of the trail system they are now riding.

George Jacques  
Colebrook

Dear Editor,

In 2012 ATVs were allowed on our town roads. I did not agree nor disagree at the time. After watching and listening, I, as a Pittsburg resident and tax payer, do not agree to allowing this to go on any longer. Safety, noise, dust, erosion are just a few of my reasons. If getting to our amenities is the reason to allow ATVs on town roads, it is unreasonable. ATV riders will still come and use the trails. They will trailer to the trail heads. The same amount of money will be spent. How much money from ATV registrations comes directly back to the Town of Pittsburg? Does it make up for the loss of quality-of-life?

Last year, my wife and I could not stay long at an outdoor concert at our Town Park because of the ATV noise. We were enjoying the concert but the noise ruined it. People used to come to the North Country for peace and quiet and to enjoy the wilderness. ATVs have taken away the peace and quiet and brought noise to our area chang-

ing our way of life. Some people now come to the North Country and think they can do what they want, when they want, because there is very little enforcement.

As a business owner with a cabin rental, I can say that requiring ATVs to be off town

roads would not affect my business as hunters, fisherman and others would rent to enjoy the beauty and tranquility this area offers.

Michael and Venita Tibbits  
Pittsburg

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## LETTERS TO THE EDITOR

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Dear Editor:

I am writing to share my thoughts and observations of last week's Pittsburg town meeting. From my perspective, it was important that every resident at that meeting finally have a right to vote by paper ballot about the ATV situation, which didn't happen seven years ago when some roads were opened to ATV traffic.

It is unfortunate, however, that no discussion took place prior to the vote. Although it avoided potential heated discussion, it also silenced those who may have had important economic facts or ideas for solutions to the problem. Some minds were shut tight like mousetraps. In order to make informed decisions about a town's future, all ideas need to be heard and carefully considered before a vote is taken, as was the case with all the other warrant articles that evening.

Although the vote was 3-1 in favor of keeping public roads open to ATV traffic, it is important to note that one out of four residents are perhaps concerned about safety and health issues, demands on the town's police force, the cost of repairs to our roads, or the loss of peace and tranquility in some neighborhoods. No respect for other opinions was shown. I see a disturbing change in the culture of the community that I once knew. However, at the same time, I was heartened by the compassion and caring of many in the minority that evening.

Change sometimes comes with a price. The question is, who pays the price? Do you flip a coin? Do you pick and choose whose rights are to be sacrificed for the pleasures and monetary benefits of others? Do some get to enjoy their rights while others have them taken away? Most of those benefiting from the sacrifices of others don't care because they are using other people's neighborhoods as playgrounds and still enjoying their own rights to a peaceful home. This kind of change is happening in our northern communities and appears to be a change in democracy as we know it.

Leaders who are supposed to represent all of the citizens have chosen to take "rights" away from some and give "wants" to others, instead of using their power to do the right thing and carefully evaluate and discuss solutions that will restore the rights to all citizens.

I don't know of any other sport that has caused such a division among a population. My husband and I never took anyone's rights away when we skied, hiked, biked, golfed, fished, hunted, etc. The culture of our community has rapidly changed over the past seven years, and not for the better. Unless attitudes change and the culture of our community is restored, we will not recognize our town in another seven years. It is changing that fast!

Marsha Clifford  
Pittsburg

**Letter to the Editor:**

Temporary trail access these past six years for ATVs on Page Hill Road out east of Groveton has come to an end. The Northumberland Selectboard came to this decision by a 2:1 vote. Taxpaying residents along Page Hill as well as along the connecting stretch of Lost Nation Road (maintained by the state) have been less than pleased by the inescapable noise of ATV riders choosing this route to come up from Lancaster. The promise of finding an alternative route off-road never materialized as wetlands abound out this way and the southern flanks of the Kilkenny range are off-limits.

I cast one of those votes as a Northumberland selectman, but now wish to speak as a long-time resident living on Lost Nation Road.

Providing ATV access through any neighborhood of taxpaying residents is a big ask. These machines are loud, as in very loud. Aggressive tires are the

issue. Off-highway recreational vehicles (OHRVs) are by design intended to be used on actual trails, not town roads and streets. Whereas, the right to enjoyment of one's property includes a reasonable expectation of peace and quiet.

ATV clubs continue to ask for access everywhere. And seemingly no other point of view matters. Yet just as there are places to "ride the wilds" there must be neighborhoods where others can have full enjoyment of their property. Property values will go up accordingly as there are many who want this certainty of peace and quiet.

The majority of people living in the North Country are not ATV enthusiasts. Some support the activity without participating; some are caught up in the idea that this singular version of local economy is our one and only path left to redemption. How easy it is to lose sight of the fact that

diversification is always the far better way to go.

People enjoy all sorts of recreational pursuits in the summer and fall months. From bicycling and hiking to hunting and fishing to swimming and kayaking. Choosing to make the entire North Country "loud" drives away these folks. Families with camps who once sought to get away from it all no longer can. Downtown options change as a result if only one interest segment determines business prospects.

Solutions are forthcoming. Embracing the rationality of "trailers to trail heads" gets ATVs off our roads. Every other recreational group drives somewhere to do their thing. A proposal before the state legislature to require that abutters approve ATV access in their neighborhood by a two-thirds majority will restore fundamental property rights. Undertaking a statewide impact  
*(Continued on page 5)*

## Letters

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*(Continued from page 4)*

study—and more to the point a county-wide discussion by discerning voices—will help to make clear where the strident can be. Out of this will arise ATV-Free Zones where others can be assured of enjoying the god given right to peace and quiet. Compromise is necessary to figure such things out.

John Harrigan has suggested we all sit on the porch and hear next to nothing but the next bird song as we contemplate our collective future.

We are better than this divisiveness. Recognizing that certain places in Coos are for revving engines and other places in Coos are for bird lovers is a good way to proceed.

Michael Phillips  
Northumberland

## READERS' FORUM

## ATV trails have overrun hunters' rights

To the Editor:

I have been a hunter in the Stratford area for nearly 60 years. I used to be able to walk out the door and go hunting in the surrounding forest. As more and more land was developed, I found remoter places to hunt. For many years, I walked 40 minutes to a tree stand near Stratford Bog. Every year, I shot a large buck (no does or skippers).

One year, I noticed red flags. The next time I went, there was a new ATV trail by my tree stand that ran through a small bog. There was no public hearing before the new ATV trail went in, so I had no chance to express my opinion.

Over the next two seasons, I never saw a deer there. Sometimes, I would walk in and discover four-wheelers were already there. Be-

fore that trail was built, the ATV-ers never knew it existed, so they cannot know what they have ruined.

Hunting has been one of the great pleasures of my life. I used to do shift work at the mill, and having a quiet place to go after the heat and noise of the mill meant a lot to me. I loved the peace and quiet of that remote stand. Today, I'm pretty much back against the wall. My hunting has been taken away.

This summer, I put up a sign in my yard that says "Help Save the North Country." It has a picture of an ATV in a circle with a diagonal slash across it. Some people have told me they like the sign, but are afraid to put one up on their property. Others have stopped waving to me.

With more ATV

trails, more hunters on ATVs are overrunning once remote areas. Every time an ATV trail is put into a roadless, remote forest stand, it drives wildlife away. It puts more pressure on the deer population. I've noticed a decline in hares and grouse ("partridge"). Night riding stresses wildlife that is feeding. Even though Stratford has a 10 p.m. curfew, I've had ATVs go by my house at 2 a.m.

I've spoken with other longtime hunters in the area, and they agree that four-wheelers have had an effect on wildlife. One game warden admitted to me that ATVs are hurting the hunting. Twice as many New Hampshire residents buy hunting licenses than register ATVs, and Fish and Game sells nearly five times as many fishing licenses

as ATVs registered with the state. Why isn't Fish and Game doing more to protect the state's fish and game?

Is New Hampshire Fish and Game conducting studies of the impacts of ATVs on wildlife? Are other hunters observing changes in wildlife behavior because of the heavy ATV traffic? Please let me and NH Fish and Game know your stories.

I urge the ATV clubs to use existing trails, don't make new ones. I urge the towns of Coös County to close their ATV trails for hunting season, as Pittsburg does.

I'd be happy to make one of my signs for you.

Sincerely,

RICHARD STINSON  
STRATFORD



LETTERS

## Bullying over positions ATV has got to stop

To the editor:

I have written this letter a hundred times, in a hundred ways and in the end always backed down. I have been fearful of retaliation because I have witnessed it too many times ... neighbors being yelled at for expressing anything other than 100 percent pro ATV points of view, bullying in the form of threats of boycotting business, others being told to shut up and move if they don't like ATVs in their backyard. Enough is enough. If I must be bullied in order to support my neighbors then I guess I'll take it.

I moved here six years ago and fell in love with this area, not just the beauty of

the natural surroundings, but the people. I would tell anyone and everyone what great communities Gorham and Berlin were. People really looked after each in meaningful ways. Neighbor took care of neighbor. We still do. I saw this most recently when schools were closed for Covid. Parents, teachers, bus drivers, community members stepping up and taking care of kids and families in new ways, getting things done quickly and efficiently. It was amazing and a proud moment for our communities.

What has not been a proud moment for us, has been how

see **BLAIR** page 5

**BLAIR** from page 4

our neighbors and community members living along the Lancaster Road. OHRV trail have been treated ... not only by the ATV community, but by our selectmen, and by the rest of us who just let it happen. I encourage you all to go to the trailhead, sit along it during a busy ATV day and endure just for an hour what our neighbors endure daily and endlessly.

Please don't say, "I live nearby, it's not that bad" or "if they don't like it, they should just move."

First of all, it is that bad, in fact it's worse. I've sat in the backyard of one of the neighbors for a brief two hours ... it's unlivable. They are literally surrounded by noise, dust, intrusion and so much more from 6 a.m. to 8 p.m. during ATV season. Second, homeowners bought their properties before ATVs were permitted on the trail. Abutters to trailhead were not even notified by our selectmen that the trail was being opened to ATVs. **NOT EVEN NOTIFIED.**

Imagine if a new business or enterprise was opened in your neighborhood, a business that directly impacted the quality of your life on a day to day basis and no one told you it was coming. Now imagine, going to your local selectmen and asking for help and being turned away. Imagine you offer compromise, alternatives and no one listened. In fact, not do only do they not listen, you start being harassed. You get harassed so much, you become fearful. I am fearful of speaking out and I don't even live in this

neighborhood. What has happened to our neighbors is heartbreaking and horrifying.

In 2017, our town developed a master plan. Town folks asked for improvements in walking paths and sidewalks, increased support for hiking, snowshoeing, biking ... all of this over ATV trail development, nearly a 3-1 margin. Money instead has been diverted to fight a lawsuit against our own neighbors and community members, \$80,000 plus. I have seen a huge growth and presence in ATVs in our community, but not one single new walking path or any of the things our town members asked for.

I am not anti-ATV ... I never was. But I am becoming so.

I am anti-bullying and harassment. It has to end.

I am pro-community building. I support following our zoning and ordinances, which if followed would never have allowed for the trailhead on Lancaster Rd to be open to OHRVs, but would have allowed for alternative solutions. I am for taking care of our neighbors and preserving the quality of life for everyone, not just for those with the loudest voices.

Our greatest strength as a community is shown in how we take care of each other. We are letting our neighbors and ourselves down right now. A new trailhead off the B-G Rd is being developed. We need to restore the quality of life back to those along Lancaster Rd and shut the ATV access down along that trailhead.

Deidre Blair  
Gorham

## **Our neighbors deserve to have quality of life restored**

To the editor:

A few weeks ago, I sent a letter to the editor in regards to the ATV presence in our town. I had titled the letter "Return the Quality of Life to Those living along Lancaster Road OHRV Trailhead." The header was changed to "Bullying over positions ATV has got to stop." It was done so without my consult and changed the emphasis of my piece.

My point was that no neighborhood should suffer as much as those living along the Route 2 OHRV trailhead are. It is unnecessary and if the selectmen had followed the town zoning and ordinances, the trailhead would never had been opened to OHRV traffic. This week, a new OHRV trailhead is opening up. Let us please not forget our neighbors. Right now, there is an opportunity to restore peace to our neighbors, end a lawsuit, and save our town resources. The route two trailhead needs to be closed to OHRV traffic.

Again, I encourage anyone who

says that the issue is not a big deal, or exaggerated, to spend a day in this neighborhood and then speak to the issue. And remind yourself that what has happened to our neighbors, could easily happen to you and your neighborhood.

Many people reached out to me after my letter was printed. Many felt the same way I did and felt concern for those living along the Route 2 trailhead. I encourage you to reach out to the selectmen, our county representatives and state government. We absolutely have a say in how we want to see our community grow and how we look after our neighbors and our quality of life. We developed a master plan for our town, encourage our selectmen to honor it. Please speak up. Please help our neighbors.

Our neighbors deserve to have their quality of life restored. It is long overdue.

Deidre Blair  
Gorham

LETTERS

## We're concerned about ATV traffic increase

To the editor:

We live in the neighborhood directly behind the existing Northeast ATV rental business and its proposed additional location at the old Burger King property.

We are very concerned about the increase of number of ATV rental units, the environmental impact (air, noise, and water) and the impact on our property values. A deterioration to our quality of life, and the growing burden to the services that we support with our tax dollars — police, ambulance/rescue, and legal fees — is also of concern.

Last summer we could not enjoy the peace and quiet of our own backyards because of the constant drone of the ATVs and power washers. It was a challenge to walk on the sidewalks nor could we enjoy the outside dining that our restaurants were offering. The disruption to the flow of traffic on Main Street was frustrating and we do not foresee that it will get any better if expanded to the Burger King location.

We are acutely aware of

the ongoing ATV problems that the Lancaster Road/Crestwood Drive neighborhood has endured for several years. We don't want our neighborhood to have to go through this — these are our homes. There are zoning laws in place that should protect the townspeople. Why wasn't an impact study conducted so that our concerns and questions could be heard by the town's board members to help them make these decisions that affect all of us?

Please go to the Town of Gorham's website. Read the proposed plan, the letters from people regarding this issue, and attend the Feb. 25th Planning Board meeting (which is held remotely via Zoom). Call or email our town manager and ask that this hearing be held in person rather than through the Zoom platform in order to better accommodate this crucial dialogue between the townspeople and the board members.

Respectfully submitted,

Holly Fontaine  
and Donna Theriault  
Gorham

## Heather Goley

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**From:** Emily Wrubel <ewrubel@gmail.com>  
**Sent:** Monday, February 7, 2022 7:51 PM  
**To:** ~House Resources Recreation and Development  
**Subject:** OHRV related bills

Dear Committee Members,

I am writing in support of HB 1109, HB 1128, and HB 1178. I am resident of Hillsboro who lives at the corner of a Class VI and Class V road that the Selectboard was asked to open to OHRV traffic a few years ago. I was aghast that those of us who would have been affected only learned of this threat by word of mouth. Had we not passed the word on to others who would have been affected, this would have passed without most residents being aware of it until it was too late to register our opposition. Abutters on ANY ROAD that is considered for OHRV use must be notified and the issue put to a town vote, not up to the vagaries of who happens to be on Selectboard when the OHRV group arrives to make their case.

Additionally the town should be liable for damage to class VI roads because of allowing OHRV use on them. There are people in my neighborhood who have maintained sections of class VI roads to their homes at personal expense. They should not be expected to pay for repairs necessitated by OHRV traffic.

A commission should be established to study OHRV usage in the state, but this commission needs to be balanced with positions for abutting homeowners, members of the Bike Alliance, NH Rails Trails Coalition, the Office of Strategic Initiatives etc, to better represent people of this state.

Thank you for your consideration.

Emily Wrubel  
Hillsboro

HB 1109 - AS INTRODUCED

2022 SESSION

22-2594  
04/08

HOUSE BILL

**1109**

AN ACT

relative to approval for off highway recreational vehicles use on class V and class VI roads.

SPONSORS:

Rep. Renzullo, Hills. 37; Rep. Gould, Hills. 7; Rep. Gottling, Sull. 2

COMMITTEE:

Resources, Recreation and Development

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ANALYSIS

This bill changes the approval procedure for OHRV use of class V and class VI roads.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT                   relative to approval for off highway recreational vehicles use on class V and class VI roads.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 Operation of All OHRVs; OHRV Operation on Class V and Class VI Roads. Amend RSA 215-  
2 A:6, IX to read as follows:

3           IX.(a) Pursuant to RSA 215-A:15, and following a duly noticed public hearing advertised at  
4 least 14 days in advance in a public location in the city or town and notification to abutters by  
5 verified mail pursuant to RSA 21:53, city or town councils and boards of selectmen may authorize  
6 the use of sidewalks and class IV~~[-class V or class VI]~~ highways and bridges, or portions thereof, for  
7 use by OHRVs. The operation of OHRVs may also be allowed on sidewalks adjacent to class I, II, III,  
8 or III-a highways pursuant to RSA 236:56, II(e). Operators of OHRVs using said roads, or portions  
9 thereof, shall keep to the extreme right and shall yield to all conventional motor vehicle traffic. The  
10 bureau, or its designee, shall so post such highways where authorized. Following a duly noticed  
11 public hearing, except in the case of an emergency closure, such city or town authorities may change  
12 the allowable usage of a class IV~~[-class V, or class VI]~~ highway by OHRVs by giving notification to  
13 the supervisor of the bureau and removing any signs that no longer apply. The petitioner shall bear  
14 the expense of verified mail notification to abutters of property for which OHRV use is sought under  
15 this paragraph.

16           (b) *By a majority vote of the legislative body of a city or town at any legal*  
17 *meeting after notice and hearing, and following notification to abutters by verified mail*  
18 *pursuant to RSA 21:53, a city or town may authorize the use of class V and class VI*  
19 *highways for use by OHRVs. Operators of OHRVs using said roads, or portions thereof,*  
20 *shall keep to the extreme right and shall yield to all conventional motor vehicle traffic.*  
21 *The bureau, or its designee, shall so post such highways where authorized. Except in the*  
22 *case of an emergency closure, by a vote of the legislative body of a city or town at any legal*  
23 *meeting after notice and hearing, and following notification to abutters by verified mail*  
24 *pursuant to RSA 21:53, such city or town authorities may change the allowable usage of a*  
25 *class V or class VI highway by OHRVs by giving notification to the supervisor of the bureau*  
26 *and removing any signs that no longer apply. The petitioner shall bear the expense of*  
27 *verified mail notification to abutters of property for which OHRV use is sought under this*  
28 *paragraph.*

29           2 Off Highway Recreational Vehicles and Trails; Regulations of Political Subdivision. Amend  
30 RSA 215-A:15, I to read as follows:

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1 I. With bylaws or ordinances city or town councils and boards of selectmen, *or the*  
2 *legislative body as provided in RSA 215-A:6, IX(b)*, may regulate the operation of OHRVs within  
3 city or town limits, providing they do not conflict with provisions of this chapter.

4 3 Effective Date. This act shall take effect 60 days after its passage.