



# Town of Hopkinton, NH

## Office of the Select Board

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### SELECT BOARD – SPECIAL MEETING PUBLIC MEETING MINUTES THURSDAY, AUGUST 27, 2015 APPROVE SEPTEMBER 8, 2015

**Members Present:** Jim O'Brien, Ken Traum, Sara Persechino, Sue B. Strickford

**Members Absent:** Steve Lux, Jr.

**Staff Present:** None

Audience members: Catherine Mitchell, Robert Clay, Ed Kerr, Elaine Loft, Alan Corosa, President of the Bound Tree ATV Club

Chair O'Brien called the meeting to order at 6:00 p.m. He explained that the purpose of the meeting would be to work on the draft OHRV ordinance that was discussed at the Board meeting on the 24<sup>th</sup>. Other than working on the ordinance, there would be no other business discussed. The goal would be to bring a next draft ordinance to the next select board meeting on September 8<sup>th</sup>.

Town Administrator, Neal Cass had distributed an edited draft of the ordinance following the discussion on the 24<sup>th</sup>. In addition, Chair O'Brien had made additional edits and circulated a draft with those changes. The Board agreed to discuss the draft proposed ordinance section by section to try and reach consensus on each item

- 1.0 Purpose: Suggested change to simplify language and be clear that the purpose of the ordinance is to identify the lawful operation of OHRV usage on permitted town roads, not to provide access to services in town.
- 2.0 Authority: No changes
- 3.0 Definitions:
  - 3.01 No changes to OHRV definition
  - 3.02 No changes to definition of street

There was a discussion of how to identify the "trail." The Bound Tree ATV Club provided a map of their trail system which could be used for reference in the ordinance.

- 4.0 Permitted Travel Routes

- 4.01 Pine Street: Change discussed was to identify the location as the end of Trail -2, from the “Line Hill Trailhead parking Area” to the Henniker Town Line.
- 4.02 Pine Street : There was much discussion about travel from the trail to Main street, including where the trail intersected with Pine Street, and where it would cross Main Street. Sara Persechino volunteered to draft a clearer language on this section and send to Chair O’Brien to be included in the next draft ordinance.
- 4.03 Bound Tree: Agreement to add where Trail 1 intersects with Bound Tree Road.

There was discussion about other town roads that OHRV’s could travel on. There was agreement that no other town roads would be accessible to OHRV traffic. There was concern raised about access to the Covered Bridge downtown. The town has no authority to permit access to the covered bridge. Access to the bridge resides with the State. It was suggested that the Select Board contact the State to let them know about the proposed ordinance and seek their comment.

There was a question of whether “dirt bikes” would be allowed? The Board did not consider dirt bikes to be part of the ordinance. It was suggested that the Board add language that clarifies that dirt bikes must be registered for the road. It was agreed to seek language that would clarify this in the next draft.

## 5.0 Prohibitions

- 5.01 There was a discussion about the age of individuals who would be allowed on town roads. There was agreement that the concern was primarily for the suggested travel route on Pine Street to downtown Contoocook where there was more traffic and a challenging intersection to navigate. The other two suggested routes were in rural areas where there was not as much concern about young OHRV operators.

It was suggested that individuals as young as 12 could be eligible to travel on town roads if the language of the ordinance as drafted were to pass. The board could not reach a consensus on new language for this section. It was decided that the draft brought to the next board meeting would not change from this draft, but would be highlighted and discussed. Board members and the public were encouraged to bring their ideas for language on this issue to the meeting. It was suggested that the Board ask Chief Pecora for his thoughts on the appropriate age of drivers.

- 5.02 OHRV registration. No changes.
- 5.03 Headlight. No changes.
- 5.04 Speed limit. There was a discussion on the speed limit on town roads. There was a suggestion that the speed limit be 10 MPH. Concern was raised that this may be too slow and not in flow with other traffic. There were questions raised about potentially setting two speed limits – one for the proposed route in Contoocook village, and perhaps a faster speed limit in the other two proposed routes that are more rural. There was consensus to move ahead with the 10 MPH speed limit whenever traveling on town roads.

There was some additional editing and deletion of sections that were redundant on speed limit. There were formatting issues with the draft which made numbering of the next few changes difficult to follow.

A new paragraph was added: Chair O’Brien explained that this paragraph was taken directly from NH statute and explains how an OHRV may cross any public right of way.

There was a discussion about the hours that OHRV's would be allowed on town roads. It was agreed that the section should read: "No person shall operate any OHRV on town streets during the period from ½ hour after sunset to ½ hour before sunrise, but no earlier than 6:00 A.M."

#### 6.0 Title changed to "Signage"

6.01 Add language signifying that the signs should be erected at the ends of the trails designated in section 4. Add language identifying the Bound Tree ATV club as being responsible for erecting the signage with approval from the Select Board.

Add a new section requiring that the ATV Club install trail markers and speed limit signs along the proposed routes. In addition, the Club shall contact the owners of the property near where there markers would be located.

7.0 Penalty: No suggested changes

#### 8.0 Effective date

There was much discussion about using this ordinance as a trial, and inserting a sunset date so that the Town and the Club could discuss how the success and changes that may be needed. It was agreed that an appropriate end date would be the conclusion of the 2016 season in November. That would provide a full year of riding in order to see how the ordinance is working.

There was additional discussion about meeting in the Spring of 2016 with the ATV Club to discuss how the ordinance is working.

There was a discussion about how and if the "rules of the road" such as cell phone use pertain to OHRV's. The Club volunteered to bring back information on that topic.

The Board agreed that a redraft of the ordinance would be circulated with the agenda and notice for the next meeting scheduled for September 8<sup>th</sup>.

The meeting was adjourned at 7:30.