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Town of Danville
Board of Selectmen
Monday, July 25, 2022
7:00 PM

6:55 PM

Meeting is Video-Recorded

Selectmen Present: Dottie Billbrough, Vice-Chair; Steve Woitkun, Sheila Johannesen, and Dennis Griffiths
Absent, excused: Shawn O'Neil, Chair

Others Present: Kimberly Burnham, Selectmen Administrator; Carol Baird, Chair, Heritage Commission, Residents: Wayne Brown, Joe Hester, Dave Drislane, Jeff Stone, Rob Descoteaux, Josh Manning, John Cooper, John Mileti, Nick Martin

Dottie called the meeting to order at 6:55 PM and opened the meeting with a moment of silence for the troops who put themselves in harm's way and for the people of Ukraine. All stood for the Pledge of Allegiance

I. Delegate Session

Dottie opens the Delegate Session and asks if there are any members of the public not on the agenda who wish to address the BOS. At this time there are members of the public still signing in who indicate that they wish to speak.

ATV Access Update: Dave Drislane states that he wasn't at the last BOS meeting (July 11, 2022), but was under the impression that the BOS wanted to look at all the land parcels (that were submitted by Josh Manning) and do a "quality check to make sure everything has been properly documented. If everything was good, the BOS would sign off (on the permissions.)

Dennis states that the map and list of parcels were submitted and that Gail Turelli (Land Use Office) had verified that everything matched up. She confirmed that the map submitted by Josh Manning was accurate and there are no further questions on that issue. Mr. Drislane asks if everything is "all set for signatures." Dennis explains that Carol Baird from the Heritage Commission is on the agenda for tonight's meeting with concerns regarding the approved ATV access and the permission forms and the BOS would like to wait for that discussion.

Dottie confirms that there is no other Delegate discussion other than the issue of ATV access and closes the Delegate Session at 6:59 PM. She asks the BOS to move the discussion with the Heritage Commission to the top of the agenda.

II. Agenda

Heritage Commission/ATV Access Permission: Carol Baird references an e-mail that she sent to the BOS regarding the concerns of the Heritage Commission with the approval that the BOS gave for that access at the June 27, 2022 BOS meetingⁱ. She asks that a copy of the e-mail be attached to these minutes.ⁱⁱ

Ms. Baird states that at the last Heritage Commission meeting, the Commission reviewed the submitted list and map of the parcels that are part of the ATV permission slip and that four (4) of those parcels that allow for ATV access are in the Town's Historic District. She also notes that the list indicated that ATV access was granted for Tuckertown Rd, also in the Historic District. The Heritage Commission has asked the BOS to include the paragraph that was indicated on the e-mail in the permission form. The paragraph states:

"The rider agrees to abide by the regulations and requirements that are set forth in Article XIII (Historic District Regulations)of the Danville Zoning Ordinanceⁱⁱⁱ, including Activities Requiring Review, with regard to

Parcel Numbers 1-49-B, 1-52, 1-60, 1-61 and Tuckertown Road, all of which are designated as Historic District properties in Article III of said Zoning Ordinance^{iv}.”

Ms. Baird states that the Heritage Commission believes this is a reasonable request because it is a Town regulation and would put the ATV riders on notice of that and make them aware of that. She reminds the BOS that they are supposed to uphold and enforce the zoning ordinances.

Dennis asks to clarify for Ms. Baird that ATV access has been requested for only directly under the power lines and on Tuckertown Rd. He states that no access has been granted to go off that trail into or onto any of those parcels of land where there may be stone walls or structures or anything else. He states that the ATV riders know this and this is not part of their access request. He confirms that this requested paragraph is a reminder that the ATV riders cannot cut onto Historic District land.

Ms. Baird explains that the Heritage Commission’s concern is that the BOS vote of approval gives any Danville resident access to ride their ATVs and while the current group of riders may have good intentions, someone else may not have those same intentions. Ms. Baird notes that there “have been problems out there before, where people have gone off on the sides making huge ruts and damaging trees.” She states that several Heritage Commission members have “pulled large (pieces) of trash from the wetlands between Colby Pond and Tuckertown Rd. including a broken tv, sofa, beer cans and bottles, and other junk, and that (trash) didn’t get out there by carrying it.”. The Heritage Commission has a concern about these activities and believes the inclusion of the proposed paragraph in the permission slip will put riders on notice that those four (4) parcels are part of the Historic District and subject to regulations. Dennis states that he understands. Mr. Drislane states “absolutely.” Ms. Baird notes that “it wasn’t meant to criticize anyone, it’s just the Heritage Commission doing their job for the people of Danville because they voted for the zoning ordinance. Dennis agrees that this is fair.

John Cooper states that “that the area was in their backyards and they (the ATV riders)) were the ones who cleaned up and they weren’t the ones who put it there”. Mr. Drislane notes he believes that “it was just an example.”

Dennis explains his support for the ATV access issue (and permissions) is to “keep out bad people or people who do bad or dumb things” and the process will give the BOS some ability to regulate the issue of access at some level because each individual who wants to ride has to come before the BOS and sign the form, and the BOS has the right to rescind that access. He states that without the process, people could ride out there anyways and the BOS wouldn’t know anything about it. Dennis notes that he knows many in the group of riders and “they’re actually the good guys that are picking up all the trash.” He notes Ms. Baird’s point, that the BOS can’t be accountable for people they don’t know, but that he believes the Heritage Commission, the BOS, and the riders are all on the same page. Dennis states that he understands the Heritage Commission’s request for the reminder and doesn’t believe it’s unreasonable.

Mr. Drislane states that the group “will hold themselves very accountable” because this is not a permanent thing. He notes that the permissions will expire every year and will need to be reviewed and renewed again next year. Bob Descoteaux notes that trash can come from people who are walking the trails. Dennis notes that no one knows who’s doing it (leaving the trash), and reiterates that the permissions “give the BOS a little bit tighter control. People who are coming in and signing their names before the BOS are probably not going to be the ones who do those kinds of things. Time will tell and what the BOS gives, the BOS can also take back.” Dennis states that there is no chance that “if stuff started to go south, that he would continue to support it (ATV access).”

Josh Manning explains that he is somewhat familiar with Heritage ordinances and asks Ms. Baird to explain the restrictions she is referring to that the group would have to abide by so the group has a better understanding. Ms. Baird notes that the restrictions are in Article XIII^v which is three (3) pages long and can be found in the Danville Zoning Ordinances online^{vi} If something is going to be done that falls into one of those categories, it requires the Heritage Commission's approval. She notes there were several previous incidents; the gates at Tuckertown Rd. were reviewed by the Heritage Commission, the parking lot for the Town Forest, signs, disturbance of stone walls, and building any stone walls. Ms. Baird notes that Tuckertown Rd. has a few more restrictions because it is fragile and that regulation is what was of most concern to the Heritage Commission because it includes “activities that destroy

or affect the ambiance of the road.”^{vii} Ms. Baird explains that Tuckertown Rd. is an ancient road and the Heritage Commission is also concerned with the “very old culverts under that road. If people go off the sides, they (the culverts) will be destroyed.” She notes that some of these culverts have been documented. She again reminds everyone that the Zoning Ordinances are online on the Town website.

Mr. Drislane confirms that the issues are the buildings and putting up signs. Ms. Baird adds that also includes posts,^{viii} etc., or changing something already there. She reiterates the Heritage Commission’s concern that the BOS vote opens access to anyone. Mr. Drislane explains that this is why the process requires all applicants to be vetted by the BOS. Ms. Baird states that “hopefully this will work” and reminds the BOS that the Heritage Commission “has seen issues out there before.” Mr. Drislane explains that the group agreed at an earlier discussion that if they were out there and saw something, they would document it and say something to the Police Dept., Fire Dept., and the BOS. Ms. Baird asks that they also notify the Heritage Commission. Mr. Drislane agrees.

Ms. Baird asks the BOS regarding a formal Town vote allowing ATV riding on Tuckertown Rd. She states the Heritage Commission is aware that several roads, including Rockrimmon Rd. and Tuckertown Rd were approved to be Class A trails on the 1996 Town Warrant^{ix}, but notes there was no verbiage in the Warrant Articles about riding ATVs on those trails. She asks if the BOS has found another Town vote on that issue. Dennis states that in his research he has not yet found anything that specifically states ATV use, but has also found nothing that states otherwise. He confirms that Tuckertown Rd was classified as a Class-A trail.

Ms. Baird notes that Tuckertown Rd. has “a lot of designations” including as a scenic road (1973), a closed road and that the whole length and width of the road is in the Historic District, explaining that was done on the advice of Town Counsel to protect the road. Ms. Baird reiterates that the Heritage Commission would like to see a document that allows ATV riding on Tuckertown Rd^x and that she has not found such a document.

Dottie states that NH RSA 231-A^{xi} referenced in the 1996 Town Warrants state there is no vehicular use allowed unless someone owns property down there and the trail can only be used for agriculture and forestry. Ms. Baird states that in her memory, Tuckertown Rd has been used for vehicular traffic for the exact reasons Dottie has just quoted and gives several examples of owners that have used Tuckertown Rd for those reasons. Mr. Descoteaux states that they (the group of ATV riders) have been maintaining Tuckertown Rd. and have had to remove trees out of the way using their ATVs. Ms. Baird states that she would love to see the road cleaned up and notes that no one is designated for cleaning up the trees, etc. Mr. Descoteaux suggests letting the ATV riders do that as they have already been doing that. Ms. Baird reiterates her memory is that (agriculture and forestry) “is how the Tuckertown Rd. has typically been used for access and that she remembers there has been “limited access as long as she’s been here and the gates have been up so that (anyone wanting access) has to go to the Police Dept. or the Highway Dept. to have the gates opened.” She notes the gates were installed because there was so much trash being dumped on Tuckertown Rd. many years ago and it was a headache for the Town and that is why the gates were installed.” She also notes that it is a beautiful road.

Dennis asks if she is asking to have Tuckertown Rd. removed from the ATV access list. Ms. Baird states that Tuckertown Rd. was the biggest discussion of concern at the last Heritage Commission meeting. Protecting Tuckertown Rd. was the focus of the Historic District regulations because it is in a pristine state with old culverts and there have been previous “headaches” with the road. Ms. Baird notes that she personally feels the Town should vote on the use of the trails because a lot of people use the trails for other reasons.

Dennis states that he understands this, but other reasons are no stronger than the group’s reasons. Ms. Baird notes that there is no impact on the road if the user is a birder or hiker. A member of the public comments “except for the trash, which has not been produced by ATVs.” Ms. Baird reiterates that prior activity has been “low impact.”

Dottie explains that she will need a motion from the BOS to add the requested paragraph from the Heritage Commission to the ATV access permission form. Steve motions to table the request until there is a full board present. He expresses his concern that the requested addition will restrict Tuckertown Rd. from the ATV riders. Dottie notes that is possible. Steve states that he does not want to agree to do that without further discussion or even by bringing

it to a Town vote and wants to wait until Shawn is present at the next meeting so that everyone can discuss the requested paragraph before the BOS votes on it. There is no second on the motion, so the motion dies. Sheila states that she would like the contract/permissions to be reviewed by Town Counsel before the BOS votes on any of the paperwork. Steve motions to send the current permission paperwork to Town Counsel for review. Second by Sheila. Vote is unanimous (4-0).

Kim asks the BOS to clarify exactly what paperwork they want Town Counsel to review. Dennis notes that the addition of the requested paragraph will need a new motion in order for that to also be reviewed. Sheila motions to add what the Heritage Commission presented tonight to be reviewed by Town Counsel. Dennis clarifies that the consensus of the BOS is to table the requested addition from the Heritage Commission, so the motion should be to have the Heritage Commission's requested addition also be reviewed by Town Counsel as a separate document because the documents will not be combined until the BOS votes to do that and the BOS shouldn't vote to include the requested paragraph until there is a full board (present).

Ms. Baird clarifies that the paragraph the Heritage Commission is suggesting has nothing to do with eliminating Tuckertown Rd. from the ATV access permissions and that was not what the Heritage Commission has requested. The Heritage Commission has only requested that riders acknowledge and abide by the Historic District regulations and asks that the BOS vote tonight to include the Heritage Commission's requested paragraph in the permission paperwork. Steve states that as long as the riders are still allowed to use Tuckertown Rd..., and expresses his concern that the BOS is being "back-doored" into agreeing to do something that will eliminate ATV access. Dennis agrees.

Dennis suggests that the BOS could add the requested paragraph under "good faith" until it is reviewed by Town Counsel. If it is determined that the paragraph gives the Heritage Commission authority to deny access.... Ms. Baird clarifies that the Heritage Commission does not have the authority to do that, only the Townspeople have the authority to amend zoning ordinances by Town vote. Dennis states that based on the zoning ordinances already in effect, that (denying access) is what the Heritage Commission is asking to do. Ms. Baird reiterates that Tuckertown Rd is in the Historic District and the request is for the riders to agree to the regulations (of the Historic District) for the four (4) parcels and Tuckertown Rd. She notes the issue of Tuckertown Rd already having permission for ATV access is a separate question.

Steve confirms with Dottie that NH RSA 231-A states that motorized vehicles cannot be used on Class- A public trails.^{xii} Dottie confirms that this is her understanding of the RSA and she believes that NH RSA is stated in the Warrant Articles regarding changing that group of roads to Class-A trails. Dennis states that he has also read the RSA and understands the term used "is "vehicular traffic.". He notes that he is "splitting hairs" but questions the definition of vehicular traffic at that time as cars and trucks creating traffic versus motorized recreation machines that do not create traffic. He states that he feels it "doesn't seem the same when put against all the other laws that talk about ATVs and they specifically call them a certain thing." Dennis notes that he couldn't find anything that said "ATV," but at the same time he could find anything that didn't say.... He notes that it's both ways because it didn't specifically say "no".

Ms. Baird explains that she is referencing the June 27, 2022 BOS minutes (it is actually the June 13, 2022 BOS minutes) ^{xiii} which mention that there is explicit permission (for ATV access to Rockrimmon and Tuckertown Rd.) and that is the documentation she is looking for.

Mr. Manning explains that the Class-A trail designation does allow abutters to use vehicles for accessing their property. The Town of Danville is the major abutter on both sides of Tuckertown Rd. and by rights, the Town and the Townspeople are all parties to this access. He states that "so by rights, the Class-A trail allows the property owner, in this case, the Town, to use vehicles, whatever that interpretation of vehicles may be." Mr. Manning agrees the 1995 Warrant Articles are silent on allowing ATVs, but that he would argue "that they're (the group of riders) are all part of this Town and have some rights up there (on Tuckertown Rd.)

Dottie confirms her understanding that the BOS wants to send the ATV access documents and the additional paragraph that the Heritage Commission has requested adding to those documents to Town Counsel for review.

Steve states that he believes that would be appropriate. Dottie notes that she believes this will clear some things up. Dennis agrees that he feels it is fair to have Town Counsel review everything.

Ms. Baird notes the point that Mr. Manning made regarding the Town owning most of the property abutting along Tuckertown Rd. and that includes the residents of the Town. Henceforth, is her point that maybe the Town should be voting on that. She reiterates that is her personal opinion and has nothing to do with what the Heritage Commission wanted to bring before the BOS at tonight's meeting. She confirms that there will be no action on the Heritage Commission's request tonight. Dennis explains that Town Counsel will be asked to review their request. He notes that he doesn't anticipate any issues, but is not a lawyer. Ms. Baird requests that the BOS inform the Heritage Commission of Town Counsel's opinion. Discussion on this issue is ended.

Timberlane Regional School District (TRSD) Impact Fees: The BOS reviews updated information regarding the Town's impact fee accounts that Kim has provided. Dottie confirms that the total amount of all of the Impact Fee Funds is \$218,411. The balance in the School Impact Fee Fund account is \$77,133.92. Dottie confirms that during the previous discussion, Shawn had suggested that the BOS use \$150,000 from the School Impact Fee Fund account. Dottie notes that with the updated information, that amount is not available to be expended. She suggests the BOS table the discussion for the next meeting.

Kim explains that the TRSD is requiring an answer from the Town before the next BOS meeting. She states that she spoke with Shawn earlier today and that he recommended the BOS expend \$50,000 from the School Impact Fee account. Sheila motions to expend \$50,000 from the School Impact Fee account to be paid to the Timberlane Regional School District Capital Improvement Fund. Second by Dottie. Vote is 3-yes, 1-no (3-1-0). Steve votes no. The motion passes.

Security Cameras (ARPA Grant): Dennis states that he reviewed the three bids that the BOS has received. One bid was from several years ago, a second bid is over a year old, and there is a third bid. Dennis expresses his concern that the bids are not "apples-to-apples" and would recommend the BOS table the bids and "bring in other people to figure out the who, what, and where of the project." He would like to know what the cameras are needed for and believes those reasons should be in the minutes for the Town to know; as well as where they need to be added. Dennis states that he believes that someone from the Police Dept. should be represented in any further conversation. Dottie states that she believes they were involved when the conversation about the cameras started last year.

Dennis explains that he would like to include the Police Dept. again and revisit the issue. He notes that the three (3) bids the BOS has received basically represented three (3) different projects. He would also recommend that the Highway Dept. also be represented in the discussion as he would "like to understand the thought process of having cameras up there" and that he questions if that is a wise use of the money. There is some discussion regarding his comments. Dennis clarifies that he would like to understand the issue "from Jimmy's point of view." He suggests that once the BOS has a better understanding of the issues, they could re-open the bid process for more quotes. Dennis reiterates his concern that only one of the bids received is relevant and he would like to see more. He reminds the BOS that there is a minimum requirement for the number of bids.

Sheila explains that the ARPA requirement is that the Town must follow its bidding process. If the BOS cannot get three (3) bids the Town must be able to explain the reasons why. Dennis confirms that the BOS "should shoot for the three." Sheila reminds the BOS that the costs of this project are coming out of the ARPA funds and this is money that the Town does not have to spend. She notes it (the ARPA funds) "should not be spent unwisely, but this is something the BOS has needed to do for a long time." She notes that the Town "has a brand-new salt shed that needs to be protected." Dennis states that he can't agree or disagree because he doesn't know enough about that.

Steve states that he believes the BOS is "way overdue for making priorities for where the ARPA money should go." Sheila states that security cameras were one of the BOS' top priorities. Dottie suggests that the BOS table this discussion until the next meeting. Dennis asks if the BOS can invite Chief Parsons and Jim Seaver (Road Agent) to the discussion, explaining that the original discussion was a year ago and deserves a refresh.

Steve states that it is his understanding that the Library Trustees run the Library independently from the BOS, but notes the Library is still a Town building. Dottie agrees. Steve asks if they need to update their cameras. Dottie states that she does not believe the Library has any security cameras. She asks Kim to contact the Library Trustees to see if they are interested in having security cameras. Kim agrees to contact the Library Trustees. Steve notes the project is for personnel security and believes that the Library should be included. Sheila states that the cameras are not just for protecting personnel but also for protecting the buildings.

Dennis explains that it occurs to him, looking at the bids and how different they were from one another, that the bidders did not have a clear direction of what they were bidding on. He notes in particular, that the bids did not return information on how the cameras function. Dottie states she believes the Police Dept. made recommendations of where they thought the cameras should be located. Kim states that she recalls there were different reasons for different cameras in different areas. Dennis states that he doesn't need the reasons for the different areas, but he still wants three (3) companies to bid on exactly the same cameras for those areas. Kim confirms the BOS will have the discussion first and then get the new bids. Dennis reiterates that the BOS needs to decide where they want the cameras and then hand that list to the vendors to bid.

III. Old/New Business

Signature File: The BOS review and sign the payroll and pay warrants in the Signature File.

Minutes: The BOS review the minutes for the July 11, 2022 BOS public meeting. On line #441, Dennis states that he would like to add a statement that he made that is not reflected in the minutes. He would like the statement included because if he was blocked, it would put him at a disadvantage and he does not think this is fair as a taxpaying citizen, and "that example is exactly that kind of..." Dottie agrees that if that is what Dennis said, it should be included in the minutes. Steve also agrees. Sheila explains that while "the person who does the minutes does a great job, you don't take minutes verbatim and they are supposed to capture only the important things." Dennis states that he feels his statement is important as it is a prime example of what he was trying to prove as the whole point of the discussion. Kim confirms that Dennis would like to add his statement to line #441. Steve seconds Dennis' request for the correction. Vote is 3-yes, 1-no (3-1-0). Sheila votes no. The requested statement will be added as requested.

The minutes are corrected with the following statement that is inserted on line #441 after: "*Dennis explains that blocking him means that he is not able to see any information and that puts him at a disadvantage.*" The following is verbatim from the meeting video beginning at 1:37:12: *Dennis gives as an example, "what if a post is about a wild bobcat that is across the street from his house, and he doesn't know about it and he goes out and walks his dog and his dog gets attacked. But other people can see it (the post). And she posted it in her capacity as the ACO because that's the right thing to do. He asks "what then Sheila?" Sheila states she posts under her name. Dennis asks what difference does that make, it doesn't make a difference."*

Kim notes there is also an issue on line #203 regarding the motion for the approval of the Little Red Schoolhouse inspection report. The minutes (confirmed by the video) reflect that the motion is to approve the 2020 Little Red Schoolhouse inspection report. The motion should be to approve the 2022 Little Red Schoolhouse inspection report. Steve motions to correct line #203 to reflect the corrected motion to approve the 2022 Little Red Schoolhouse inspection report. Second by Dennis. Vote is 3-yes, 1-no (3-1-0). Sheila votes no. The motion passes to correct the date of the Little Red Schoolhouse inspection report.

There is no motion and/or second to approve the July 11, 2022 BOS public minutes as corrected.

Dottie reads the Town Announcements listed below. She adds the following to the Hay Day events: Sunday, August 28, Service at the Olde Meeting House at 10:00 AM. The Little Red Schoolhouse, Stage Coach Stop, the Olde Meeting House, and the VIS (Village Improvement Society) buildings will also be open for visitors.

Assessing RFP Update: Kim explains to the BOS that she has obtained a list of DRA verified and approved appraisers. There are 15-18 vendors on the list. On behalf of the BOS, she has contacted approximately twelve (12) of those

vendors by first-class mail requesting them to provide a quote. The RFP has also been posted with the NHMA, the Town’s website, and in the *Carriage Towne News*. She states that the BOS will be accepting sealed quotes until Monday, August 22, 2022, at 4:00 PM. The quotes will be opened at the evening’s (August 22, 2022) BOS meeting at 7:00 PM and will be read aloud into the minutes. The BOS will pick their top-ranked firms who will then be requested to formally present their product on Tuesday, September 6, 2022. Kim notes that this is how the process has to work.

Fire Dept. Maintenance Update: Kim states that the Fire Dept. sheds have been re-shingled. One of the sheds is vinyl-sided, the other shed needs to be painted. She has spoken to Steve (as Fire Chief) and he has willingly accepted the task of painting the shed. Dennis expresses his appreciation for Steve’s willingness to do that.

Home Occupation Permit Application: The BOS reviews a Home Occupation Permit application. After several questions regarding the application, Dottie asks to table the application until the next meeting.

Planning Board Application: The BOS has received an application from Leo Travers of Danville. Dottie reads the following: “Whereas there is a vacancy in the office of the Planning Board in said Town. And whereas we the subscribers have confidence in your ability and integrity to perform the duties of said office, we do hereby appoint you, Leo Travers upon taking the oath of office and having this appointment certificate of oath of office recorded by the Town Clerk.” Sheila motions to approve the application from Leo Travers for the vacancy on the Planning Board. Second by Steve. Vote is unanimous (4-0). Sheila extends her congratulations.

IV. Town Announcements

Calendar

- ✚ July 18-August 5: Community Center is under construction.
- ✚ August 8- Monday: Board of Selectmen meeting at 7:00 PM at the Town Hall
- ✚ August 26- Friday: Olde Home Days- Movie Night- *Sing 2*- movie starts at dusk.
- ✚ August 27- Saturday: Olde Home Days- Variety of activities TBD
- ✚ August 28- Sunday: Olde Home Days: Crafter & Vendor Fair 8:00 AM- 4:00 PM.
Sponsored by the Danville Police Association
- ✚ August 28- Sunday: Olde Home Days- Service at the Olde Meeting House at 10:00 AM
- ✚ August 28- Sunday: Olde Home Days- Little Red Schoolhouse, Stage Coach Stop, Olde Meeting House, and the VIS buildings will be open for visitors from 11:00 AM – 1:00 PM.

As there are no further items to discuss Dottie states the BOS will go into a Non-Public session under NH RSA 91-A 3:II (a). There was no roll-call vote made at the public meeting prior to the end of the video.

The public session of the BOS meeting ends at 7:50 PM

Minutes derived by video provided on the Town of Danville website.

Respectfully Submitted
Deborah A. Christie

ⁱ *Shawn motions to grant, on an individual basis, on a yearly frequency, the ability for the Town of Danville residents only to have permission to ride on Town-owned land underneath the power line corridor. Second by Steve. Vote is 3-yes (Shawn, Steve, Dennis) and 2-no (Sheila and Dottie). (3-2-0). The motion passes. **Town of Danville NH Board of Selectmen’s Minutes June 27, 2022.** Online at www.townofdanville.org. July 25, 2022.*

ⁱⁱ *See Attached e-mail*

ⁱⁱⁱ **Danville, New Hampshire Zoning and Ordinances Effective March 10, 2022.** *Article XIII. #8- Activities Requiring Review: A-L. Pgs. 101-103. Town of Danville, New Hampshire. Online at www.townofdanville.org. July 25, 2022.*

^{iv} *IBID. Article III. E: Historic District. Pgs. 9-11.*

^v *IBID. Article XIII. #8-Activities Requiring Review: A-L. Pgs. 101-103.*

^{vi} *IBID.*

^{vii} *IBID. Article XIII. #8- Activities Requiring Review: i. Any activity regarding the use of Tuckertown Road and its branches on town land which may result in a change in the nature, appearance, width or general ambiance of the road and its branches on town land, or which may have a negative or adverse effect as determined by the Heritage Commission upon other properties, sites or structures within the historic district. Pg. 103.*

^{viii} *IBID. Article XIII. #8- Activities Requiring Review: g. Installation and erection of any sign. 1) Signage shall be designed so as to integrate with the architectural, scenic and historic features of the buildings or sites on which they are placed. Pg. 103*

^{ix} *Danville, New Hampshire. **Annual Reports Danville New Hampshire 1995. Town Warrants:** 33. To see if the Town will vote to designate the Class VI portion of Rock Rimmon Road as a Class A Trail, as authorized by RSA 231-A:1.(BY PETITION) Pg. j. (warrant passed)*

34. To see if the Town will vote to designate Cross Road (a Class VI Road) as a Class A Trail, as authorized by RSA 231-A:1. (BY PETITION) Pg. j. (Warrant passed)

35. To see if the Town will vote to designate the Class VI portion of Brentwood Road as a Class A Trail, as authorized by RSA 231-A: 1.(BY PETITION) Pg. j (Warrant passed)

36. To see if the Town will vote to designate the Class VI portion of Back Road as a Class A Trail, as authorized by RSA 231-A:1. (BY PETITION) Pg. j. (Warrant passed)

37. To see if the Town will vote to designate all sections and branches of Tuckertown Road as a Class A Trail, as authorized by RSA 231-A:l. (BY PETITION) Pg. j. (warrant passed)

38. To see if the Town will vote to designate the Class VI portion of Hersey Road (sometimes referred to as Bedbug Road) as a Class A Trail, as authorized by RSA 231-A:1. (BYPETITION) (Warrant passed)

^x *Shawn explains that Tuckertown Rd. is explicitly excluded from the Audubon easement and the BOS has previously granted access rights for trucks conversing ATVs onto Tuckertown Rd. and the Rockrimmon Trail. Riders in the audience note that Hersey Rd is included in that access as well. Shawn explains there is an “order of precedence the Town has accepted before they opened it up.” He assumes there were the same concerns at that time, but the BOS tried it and had no issues, and those permissions are still active today. . **Town of Danville NH Board of Selectmen’s Minutes June 13,2022.** Online at www.townofdanville.org. July 25, 2022.*

^{xi} *State of New Hampshire. **NH RSA TITLE XX TRANSPORTATION CHAPTER 231-A MUNICIPAL TRAILS Section 231-A:1 Class A and B Trails.** – 1. A class A trail shall be a full public right-of-way, of indefinite duration subject to public trail use restrictions. It shall not have the status of a publicly approved street, and shall not be used as a vehicular access for any new building or structure, or for the expansion, enlargement, or increased intensity of use of any existing building or structure. It may, however, be used by the owners of land abutting on such trail, or land served exclusively by such trail, to provide access for such nondevelopment uses as agriculture and forestry, or for access to any building or structure existing prior to its designation as a trail, and such owners' access for such uses shall be exempt from applicable public trail use restrictions, subject only to reasonable time, season and manner regulations imposed by the local governing body. The municipality shall bear no responsibility for maintaining the trail for such uses by abutting owners. Such owners shall, prior to excavation, construction or disturbance of a class A trail, obtain permission from the municipal officers, in the same manner prescribed for highways in RSA 236:9-11. Online at www.gencourt.state.nh.us/rsa/html. July 25, 2022.*

xii *IBID*

xiii *As above in endnote x. Town of Danville NH Board of Selectmen's Minutes June 13,2022. Online at www.townofdanville.org. July 25, 2022.*