

**OHRV Committee Meeting Minutes**  
**October 10, 2023, 5:00 pm Community Center**

Members Present: Chairman Jim Morse, Kris Blomback, Chief Matt French, Lori Hubbard, Beth Patenaude, Ross Bennett, Robert Pagano, Kathy Anderson

Members Absent: Leo Aucoin, Paul Sheppard.

Recording Secretary: Ross Bennett

Henniker Resident Guests: Joan O'Connor, Bill Marko, Elizabeth Butters, Arnie Huftalen, Nancy DeMoura, Keith DeMoura.

Out of Town Guests: Brad Pfyfe (Bennington), Lisa Peters (Bennington), James Peters (Bennington),

- Minutes
  - The committee reviewed the draft minutes from the August meeting
  - Beth made a motion to approve the minutes as edited, Scott seconded, all in favor.
- First Public Comment:
  - Keith Damour, Western Ave
    - Are Meetings required to be recorded?
    - Jim – notes are required, recording is not required
  - Arnie H, Western Ave
    - Need for objective data, Arnie did not run camera survey – the following are direct observations from his property:
      - On August 27<sup>th</sup> 2023 – 32 OHRVs: 24 ATVs and 8 UTVs went by his house
      - September 9, 2023: there was fundraiser for Hillsboro on Henniker roads. 82 ATVs in an hour, 125 in 90 minute period. ATV riders were coming in from Hillsboro on Western Ave, checking in at the Henniker Police station.
      - Why did Hillsboro conduct a fundraiser using roads, trails, town property in Henniker?
      - Looking at the club's trail map – roads were going to be used to connect trails, but in Henniker, there are only a couple off-road trails, most connections are road to road to road.
      - Travel from Davison/Bacon intersection to Browns way shouldn't go down through Western Ave.
      - On August 26<sup>th</sup>, counted 8 ATVs in less than an hour. Generally 30 to 50 ATVs per day. Noisy, they hear ATVs coming a long way off. Have to wait for ATVs to pass to resume conversations.
      - Town connector trail from Flanders road across state highway 114 to Ramsdell Rd: Do you need a permit to cross 114? Jim said a permit is not needed to cross Rt 114. Arnie noted that portion of the trail is not signed properly.
      - People in west Henniker are offended by noise. Over last 4 weeks, OHRVs have been more polite, quieter, driving slower.
      - Do other committees publish addresses of people who speak? Selectmen redact addresses in their materials. Arnie was bothered about one resident's comments at the last meeting about harassment with noise and ATV riders making vulgar gestures as they passed her house. Arnie was surprised that the

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committee or the club did not speak up and condemn this type of behavior. Arnie has observed an ATV rider making a vulgar gesture at him.

- Beth noted that their intro email to club members tells people to pull over if a plated vehicle is behind them. Jim indicated that Leo asks the ATVs not to pull over on the shoulder as it damages the shoulder.
  - Arnie has paid lots of tax money over the years, and would like to enjoy their property. The club can't control everybody's behavior.
  - Arnie related a story about cars passing ATVs near his house that almost resulted in an accident.
  - Jim indicated that Jim has yahoos on the road by Jim's house
  - Arnie indicated that Jim doesn't have ATVs on the road going by Jim's house
  - Bob lives on Depot Hill Road and there are frequent loud motorcycles going by his house
- Enforcement: Matt French- HPD:
    - 2 complaints in September, 4 stops, 2 warnings
    - Patrols on Dodge Hill Road mostly, patrol is on ATV
  - Road Agent: Jim indicated that Leo called – there's an issue with a rider damaging Mt Hunger road, HPD is working on it, we think we know the culprit and he's from Weare. Jim indicated Leo mentioned Dodge Hill Road, Hemlock Corner Loop had similar issues with road damage from OHRVs.
  - Selectmen Report Blomback –
    - A selectboard member is asking about policy changes about size limits.
    - Jim – our trails are 65 inches limit. Some club trails are limited to 50 inches, which would eliminate a lot of the traffic.
    - Kris – are there rigs over 65? Jim maybe.
    - Kris – compare to wheelbase of jeep? – Jim estimated a Jeep wheelbase to be 72 inches
    - Scott Dias indicated there's been a speed limit radar unit on Dodge Hill Rd – can we get data from that?. Matt French indicated we can't get any feedback data from that, the technology is old. Scott indicated the unit seems to be effective.
    - Kris asked if any other communities changing policy to address concerns? Jim indicated Matt should check wheelbase when he pulls people over.
    - Brad Fife – trailmaster of ATV Club clarified on wheelbase limits:
      - Hillsboro rail trail is 50 inches
      - Most other trails are 65 inches
    - Jim - some have suggested closing the trails certain weekends but that would be confusing and difficult to implement.
    - Bill Marko asked about the idea of closing the trail one consistent weekend day to ATVs?
    - Jim indicated it would be difficult to enforce. Surrounding towns would have different schedules
    - Ross - closing one weekend day (e.g. Sunday) would be good idea. If its' done on a consistent day, property owners would get a break from noise or dust impacts.
    - Scott – limiting use on certain days would be inconsistent with other towns
    - Bob - suggested the Sunday ban should be expanded to include motorcycles

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- Bill - motorcycles are different, we have control over the ATV issue in the town, we're trying to figure out the best decision, he's not seeing effort from the Club for compromise.
  - Jim- the club has patrolled, patrolling is a compromise. Jim referenced the Fish and Game memo from the Agenda which says there isn't an ATV problem in Henniker
  - Ross indicated that Jim was using the Fish and Game memorandum out of context. Bill Marko is talking about resident's concerns, the Fish and Game memorandum is talking about on-trail ATV enforcement issues.
  - Jim - Fish and Game was patrolling on the roads where these residents live
  - Bill reiterated that he's concerned that there's no compromise with the residents
  - Jim - this is like the Snowmobile club trail network built on connecting trails and businesses between towns. It's a state trail system, getting funding and insurance from state, serving general public
  - Bill indicated that limiting the use would also serve general public
  - Jim indicated that limiting the use would serve the few, not the general public
  - Scott - he was concerned that plated UTV riders have invested a lot of money, it's a family event, they're going to go out and do it, we can't stop them. Focus should be enforcement, club awareness, self policing. If self policing doesn't work, prosecute. Can't limit ATV use on one day a week, that's not fair. What if Henniker could only ski at Pats Peak on Saturday?
  - Bill – this is privilege provided by town, riders can still ride on private property on the day the trails are shut down. Residents are asking for relief. People are looking for a break.
  - Joan – consider different options. Hopkinton used to have a tough police reputation. Lets be a tough town in terms of OHRV enforcement.
  - Keith D. Western ave – As resident, Keith doesn't want to see roads closed. If board were to recommend closing roads, only OHRVs would be impacted, plated UTVs would still be on the roads.
  - Bob – one day a month compromise won't be adequate, then they'll ask for 2 days a month. Compromises are incremental surrender.
  - Ross – enforcement is not compromise – its part of implementing the ordinance. Ross is concerned with Matt French's statements at prior meetings that he can't enforce the decibel limits in the OHRV ordinance. Most of the residents are complaining about noise, and we're not able to enforce the noise limits in place.
  - Jim - the Club has donated meter and atv for enforcement, that's been part of the compromise
  - Ross - has Matt issued OHRV violations for noise?
  - Matt- No. The HPD can't meet the state's standards for sound measurement in the field – the engine has to be revving at a constant RPM for a set period, the meter has to be set a certain distance away at a certain angle.
  - Ross suggested the club should pre-screen their members for noise issues as part of on-boarding. Several noted that the club members weren't the issue, the noise issues were coming from out of town or non-club riders.
- Public comment 2:

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- Arnie –
  - My understanding is police department has said don't call us for noise
  - Most ATVs that go by are very loud. For the 18k we pay in real estate taxes, we should be able to sit outside and enjoy our property.
  - Jim – the Western ave bridge near Arnie's property is the only place to get across the river
  - Arnie – would prefer west-bound traffic go along bacon road to Old Hillsboro Road to access the Western Ave bridge, instead of his house. I'd be happy with 200% of the ATV traffic on Saturday if it was zero on Sunday.
  - Arnie – Other suggestion – open up all roads in town so everybody can experience ATV impacts. You'd have a lot more complaints. Why not Huntington Rd, why not upper Liberty Hill Road? Why is Western Ave open when so many other roads aren't?
- Jim – made a motion during Public Comment 2 to get a road counter on Dodge hill Road beyond Lone Pine, and a road counter on Western Ave between Liberty Hill Road and Old Hillsboro Road. Beth Seconded. The committee discussed timeframe and agreed the counter should be deployed June through Columbus day weekend. Scott indicated that grading the dirt road with the counter on it could be an issue to coordinate with Leo. The vote on the motion was unanimous – Matt had left before the vote.
- Ross – presented additional trail camera statistics
  - In addition to the early August data discussed at the last meeting, Ross presented trail camera statistics
  - Hemlock Corner Loop typically has around 10 plated vehicles per day during the week.
  - During the weekend, plated vehicles go up to around 15 per day
  - ATVs are low during the week, low single digits
  - During the weekend, OHRVs go up to 30, 40, or 50 vehicles per day
  - Residents have lived here since before ATVs, they're used to 10-15 vehicles per day but ATVs can be a 3x increase in weekend traffic, and have unique acoustical impact
- Lori – in her experience, cameras under estimate cars/trucks due to their speed. Cars/trucks tend to get by the camera before the photo can be obtained. Lori noted that August 31 was the Hopkinton Fair, and people use these roads to get to the Fair, but Ross' trail camera count only had 8 cars/trucks for Friday September 1. Lori knows she drove by the camera 4 times that day, she can't be half of the car traffic.
- Ross noted that he sees "blank" photos where something triggered the camera but was too fast to photograph, those don't get counted as cars or ATVs.
- Keith – if we ban ATVs, UTVs will still be there, in fact more people may get plated UTVs
- Bill - regarding Ross' trail camera photos, suggest there's less traffic on Sunday, so Sunday holiday may not be impactful
- Lori asked for an update on "through the woods" trail reopening?
  - Keith – this is "trail T1" which is a Bound Tree ATV Club (BTAC) trail. Keith met with the BTAC president, he'd approached the landowner, landowner has the T1 Trail parcels for sale, and is not interested in hosting ATV trails while his property is on the market. One of the clubs has been discussing ATV trail access on private property with another property owner. The club is asking for 20 ft of trail on a private property away from the owners house, but the property owner has denied access.

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- Lori- anything near western ave?
- Elizabeth Butters, Dodge Hill Road
  - Roads are damaged, believes lots of the damage is from ATV riders. Leo has mentioned that Dodge Hill Road isn't as rutted where ATVs aren't allowed. You have to drive on opposite side of road to get up the hill by her house, there's a blind hill crest and a risk of collision. ATVs are loud, may not be familiar with road dangers and may not hear another car coming. ATVs have almost hit her car. The Club is spreading awareness, there are respectful riders, but there are limitations to what the club and police can do. ATVs should be allowed on every road in town, the current trail network is putting an undue burden on residents of roads where ATVs are allowed. Club members enjoy woods riding more than roads.
- Beth asked Elizabeth if she would be willing to open a trail on her property? Elizabeth indicated no because a trail on their property would still be too close to their house to improve their situation. Moving the trail would need to establish a trail farther away from their house than their property line, and they try to keep their property in a natural state.
- Nancy Demoura, Western Ave - Riding on roads in empty pickup also rips up your road
- Beth – when she was younger, she worked at a house on Dodge Hill Road, and the road was washboard then, before ATVs were allowed.
- Elizabeth- after busy ATV weekend road is visibly churned up
- Ross - the trail camera photos support this – ATVs churn up the road because of nature of tires (nobby). Passenger cars and trucks tend to compact the roads, but some trucks have aggressive tires.
- Brian Fife- we can put a sign for people to use 4wd, that will lessen road impacts from trucks.
- Jim solicited a motion to adjourn, Scott motioned to adjourn.
- Ross asked about the schedule for the next meeting-
  - Jim and Scott suggested a meeting in April before the trails opened for the year
  - Ross observed that many residents had been to committee meetings this summer with complaints, and what we're offering to residents is to do a traffic study next year. We won't have data from that study until late 2024.
  - Bob – that's progress
  - Scott – let's set up an April meeting to summarize statistics from this year
  - Lori – avoid last week of April, school vacation week.
- Scott motioned to adjourn, Bob seconded, all in favor.

Summary of Trail Camera Photos, Hemlock Corner Loop, Henniker NH

	Car/Truck	UTV	ATV	ATVs+ UTVs	DB /Motor- cycle	Bicycle	Pedestrian	Note
Thursday, August 3, 2023	10	0	2	2	2	4	1	
Friday, August 4, 2023	9	0	1	1	0	0	2	
Saturday, August 5, 2023	22	6	22	28	0	0	2	
Sunday, August 6, 2023	11	3	9	12	0	1	2	
Monday, August 7, 2023	7	0	0	0	1	0	2	
Tuesday, August 8, 2023	10	0	0	0	0	0	1	
Wednesday, August 9, 2023	7	0	0	0	0	2	3	
Thursday, August 10, 2023	15	0	5	5	0	2	2	
Friday, August 11, 2023	8	0	5	5	0	0	2	
Saturday, August 12, 2023	15	4	29	33	1	4	2	
Sunday, August 13, 2023	12	3	20	23	1	3	2	
Monday, August 14, 2023	8	1	6	7	0	1	2	
Tuesday, August 15, 2023	10	0	0	0	0	0	3	
Wednesday, August 16, 2023	7	0	4	4	0	0	3	

	Car/Truck	UTV	ATV	ATVs+ UTVs	DB /Motor- cycle	Bicycle	Pedestrian	Note
Wednesday, August 23, 2023	17	1	1	2	1	0	3	
Thursday, August 24, 2023	13	0	1	1	0	0	1	
Friday, August 25, 2023	4	0	0	0	0	0	4	1
Saturday, August 26, 2023	12	8	19	27	4	0	4	
Sunday, August 27, 2023	14	6	12	18	0	0	3	
Monday, August 28, 2023	9	0	0	0	0	0	0	
Tuesday, August 29, 2023	8	3	1	4	0	1	1	
Wednesday, August 30, 2023	4	0	0	0	0	0	3	
Thursday, August 31, 2023	5	2	3	5	0	0	0	
Friday, September 1, 2023	8	0	6	6	0	0	4	
Saturday, September 2, 2023	19	11	35	46	3	0	3	
Sunday, September 3, 2023	9	30	24	54	3	1	1	
Monday, September 4, 2023	8	2	16	18	0	0	3	2

Summary Statistics - Average Number of Vehicles Photographed Per Day	Car/Truck	UTV	ATV	ATVs+ UTVs
All Days (Weekdays and Weekends)	10.4	3.0	7.9	10.9
Weekends Only	14.3	8.9	21.3	30.1

Notes

- 1) Friday August 25 statistics may be low due to condensation on lens
- 2) Monday September 4 was labor day statistics excluded from long-term averages