

Planning Board Work Session

Location: Strafford Town Hall Conference Room

Date & Time: February 15, 2022 5:00PM

Board Members Present:

Charlie Moreno – Chairman

Donald Coker – Alternate

Phil Auger – Vice Chairman

Don Clifford – Alternate

Tim Reed

Lynn Sweet – Selectman Representative

Others Present:

Dave Copeland, Strafford Building Inspector

Robert Fletcher, Minutes Recorder

The Chairman, Charlie Moreno, called the work session to order at 5:05PM, recognized board members Phil Auger, Tim Reed, Lynn Sweet, Donald Coker and Don Clifford as present. The Chairman indicated the purpose of the Work Session was to conduct a final review the proposed Warrant Article Class A Trail reclassifications and the Planning Board presentation at the March 2022 Town Meeting. He recognized the presence of Strafford residents and indicated there would be an opportunity for Public comments during the Work Session. Lynn Sweet indicated the need to specifically address Warrant Article #25, Barn Door Gap Class A Trail, and Warrant Article #28, Pig Lane Class A Trail, due to receipt of abutter concerns.

Work Session – Class VI Roads & Class A Trails

Before addressing the abutter concerns, Phil Auger provided an introductory overview of the Power Point presentation to be used at the March Town meeting. He briefly mentioned the existence of numerous Class VI Roads and current Class A Trails in Strafford and highlighted the following:

- State regulations and/or Town Ordinances currently determine permitted use of lots bordering Class VI Roads and building permits are not guaranteed and require application to the Town for approval.
- Towns are authorized to regulate and even restrict the use of Class VI Roads. However, access to private holdings on Class VI Roads and Class A Trails are guaranteed.
- Waiver of Town liability is required for Class VI Roads.
- Subdivision of property is not allowed on Class VI Roads.
- Public has right of access to Class A Trails.
- Property owners bordering Class A Trails have right to access existing buildings and land for forestry or agricultural purposes, but cannot expand existing buildings or construct new buildings.
- Town may maintain Class A Trails and grants or donations may be used for Class A Trail improvements.
- Class VI Roads may be gated but not locked, while Class A Trails may be gated and locked.

Phil Auger briefly described the location of the five proposed Class A Trails and the affected private properties. Discussion focused primarily on the Pig Lane Class A Trail proposal which affects the Nelson, Robertson and Wuelper properties.

The Board believed the Nelson properties had adequate frontage on Range Road and would not be adversely affected by the proposed Class A Trail extending northeasterly from Range Road. Additionally, the Board believed access to the Robertson and Wuelper properties from Range Road would be cost prohibitive due to multiple brook/stream crossings, steep grades and road width restrictions.

Further discussion of the Pig Lane proposal centered on access to the Robertson and Wuelper properties from Route 126.

Kurt Wuelper, 1336 Parker Mountain Road, believed access to his property with frontage on Route 126 would be from Range Road, but after involvement in the discussion concluded that Pig Lane from Route 126 provided better access.

Allan Robertson, owner Lots 12-6, 15-1 and 15-2, expressed concern about the Class A Trail reclassification prohibiting home construction on his property. The Board offered the opinion that steep terrain and wetland considerations would affect development on the properties rather than a Class A Trail designation and it would be very costly to bring Pig Lane up to Class V standards to allow subdivision development.

Bethene Wuelper indicated they were not so much concerned about property development, but about being denied access to their property due to the Class A Trail reclassification and the possibility of not being able to have a fishing camp near the brook. The Board assured her access to the property does not change with a Class A Trail reclassification and currently building a structure on a Class VI Road requires a permit and agreement to maintain the road to certain standards. She asked if a temporary structure of 100 square feet or less could be sited on property bordering a Class A Trail. The Board concluded that it would not be allowed on property with frontage only on a Class A Trail. However, in this case, a temporary structure would be allowed due to the property frontage on Route 126.

Allan Robertson, expressed concern about loss of property value due to Class A Trail restrictions. The Chairman specifically addressed Lot 12-6, a 2 acre lot beyond Huckins Brook. Access to the lot is currently insufficient to allow development on the lot without bridge and roadway upgrade at land owner cost. As a result, the lot is not a valuable house lot. Mr. Robertson also asked if the Class A Trail Warrant Articles were separate or lumped as one article. The Board indicated they were to be addressed separately. Mr. Robertson asked what the advantages would be to reclassify portions of Pig Lane as a Class A Trail. The Chairman indicated that the Town does not maintain any portion of Pig Lane since it is a Class VI Road. Also, the Town cannot restrict access other than providing an unlocked gate. As a Class A Trail, the Town would be able to maintain the trail and provide a locked gate if warranted.

There were no further comments from the Public, and the Board continued a discussion regarding possible changes to proposed Warrant Articles #25, Barn Door Gap Class A Trail, and #28, Pig Lane Class A Trail.

Barn Door Gap Class A Trail

Prior to this meeting, property owner, Bruce Ryll, express concern about not being able to build a barn at the back of his property if the Class VI Road bordering his property was reclassified as a Class A Trail. However, he would be in favor of a Class A Trail reclassification to limit other bordering property development. He was advised that he could be issued a building permit prior to approval of the Class A Trail reclassification and that the permit could be renewed yearly if he wasn't ready to build. The Chairman requested a motion to eliminate a portion of the Class VI Road reclassification to a Class A Trail and appointed Donald Coker as a voting member in the absence of Terry Hyland. Lynn Sweet made a motion to modify Warrant Article #25 to read "To see if the Town will vote to reclassify the following section of a Class VI Road as a Class A Trail pursuant to RSA 231-A:2 Second Crown Point Road from the southeast corner of Tax Map 18, Lot 32 to the northeast corner of Tax Map 8, Lot 16" which was seconded by Tim Reed. A brief discussion followed the motion prior to a verbal vote by the Board as follows: Tim Reed-yea, Donald Coker-nay, Charlie Moreno-nay, Lynn Sweet-yea, and Phil Auger-nay. The motion did not pass.

Pig Lane Class A Trail

The Chairman requested a motion to eliminate a portion of the Pig Lane Class VI Road reclassification to a Class A Trail and appointed Don Clifford as a voting member in the absence of Terry Hyland. Lynn Sweet made a motion to modify Warrant Article #28 to read "To see if the Town will vote to reclassify the following section of a Class VI Road as a Class A Trail pursuant to RSA 231-A:2 Pig Lane from the northeast corner of Tax Map 8, Lot 19-1 to a point 50 feet north of the north side embankment of the Huckins Brook" which was seconded by Don Clifford. A brief discussion followed the motion prior to a verbal vote by the Board as follows: Tim Reed-nay, Donald Coker-nay, Charlie Moreno-nay, Lynn Sweet-yea, and Phil Auger-nay. The motion did not pass.

Dave Copeland, Strafford Building Inspector, asked whether the Board would be addressing Amendment 1, Zoning Ordinance change for Structures and Buildings. Lynn Sweet indicated the amendment was addressed at a previous Public Hearing and would voted upon by ballot on Tuesday, March 8th. Additionally, Dave presented a problem with Town Ordinance, Section 3.0 Restricted Uses Within The Wetland Conservation District that indicates a reference to a Section 6.0 of the ordinance which does not exist. He also informed the Board that Strafford Regional Planning Commission determined the need for Section 3.0 to separately address setback requirements for septic system tank and septic system leachfield. The section currently addresses only septic system leachfield setback. The State requirement for septic tank setback is less than leachfield setback requirements. The Board acknowledged the need to address the ordinance at a future Planning Board meeting.

Tim Reed suggested the need to modify the Class VI Road reclassification presentation to clearly indicate that the State prohibits subdivision of property on Class VI Roads. The Chairman suggested it would be helpful to point out that the Public is allowed to use Class VI Roads while road maintenance is home owner responsibility. Tim Reed also suggested the presentation address the question, "Why are we doing this?"

There being no further business before the Board, Lynn Sweet made a motion to adjourn the meeting, which was seconded by Charlie Moreno. The board voted unanimously in favor, and the meeting adjourned at 7:00PM.