

**TOWN OF WALPOLE  
MEETING OF THE SELECTBOARD  
NOVEMBER 10, 2021**

Selectboard Present: Cheryl Mayberry (Chair); Steven Dalessio; Peggy L. Pschirrer

**CALL TO ORDER:** Ms. Mayberry called this Selectboard Public Hearing to “Request Comment Regarding Snowmobile Use of All Class VI Roads” to order at 6:00 PM in the Walpole Town Hall. This Public Hearing is being recorded. There were 30-plus members of the public in the audience.

Ms. Mayberry read the notice that was duly published and posted:

TOWN OF WALPOLE, NH  
NOTICE OF PUBLIC HEARING  
November 10, 2021, at 6:00 PM

To Request Comment Regarding Snowmobile  
Use of All Class VI Roads

You are hereby notified that the Walpole Selectboard will hold a public hearing Wednesday, November 10, 2021, at 6:00 PM in the Walpole Town Hall.

The public hearing is to discuss whether all licensed snowmobiles may use all Class VI roads within the Town of Walpole.

The Selectboard Meeting will follow the public hearing.

Ms. Mayberry reported that back in 2006 the Hooper Hill Hoppers were granted permission to use Class 6 roads within the Town of Walpole. They were the only ones listed for that. You have to be affiliated with a club to register your snowmobile. The law changed back in 2019. They do believe it is still in effect for Walpole but there is the recommendation to hold this Public Hearing to reaffirm that permission and to extend it to snowmobiler users for those properly registered and who have an affiliation with a snowmobile club.

There are a lot of people attending so they will start out limiting their speaking time to three (3) minutes. She would like to start with those who are opposed to the use of Class VI roads within the Town of Walpole for snowmobile use. Please state your name, where you live and who you are representing.

Attorney Gary Kinyon, an attorney in Keene, is representing Jody and Barbara Spivey who live on Whipple Hill Road. He is here not to oppose the designation of all Class VI roads to snowmobile use but tonight he is here to ask the Selectboard to exercise their discretion and to consider not granting snowmobile use over the portion of Whipple Hill Road where the Spiveys live. The Selectboard has the discretion under the statutes as to the use of snowmobiles on some Class VI roads or portions of them. The basis of his request, on behalf of the Spiveys, is best illustrated by the sketch he displayed. They are the only house on Whipple Hill Road on the Class VI portion. When they built their house six-or-seven years ago, they knew that portion of Whipple Hill Road was a Class VI road. They knew they would have to maintain that portion of the road as their own access to their house. Over the years there had been very little snowmobile use on their section of the road. Their road is accessed by snowmobiles via Pelsue Road which is also a Class VI road with no homes on it. Beyond this road there is another Class VI road with no residences on it. As you go down toward Rapids Road, one can connect to the snowmobile trails that have been there for many years. There are no residents on them, and they are not maintained by the

Town. The Spiveys portion of Whipple Hill Road is the only one that could be affected by the Selectboard's decision. Snowmobiles would present an additional cost to the Spiveys in terms of road maintenance. Since you cannot get over their portion of the Class VI road via a Class VI road with any residences on it, it is an access to area roads that snowmobiles could not legally access. Attorney Kinyon explained the surrounding roads including Class V roads that snowmobilers cannot use. They ask the Selectboard to take into account that the Spiveys are the only residents on that portion of Whipple Hill Road, and they maintain that road at their expense so they could get to and from the Town road and maintain it for emergency vehicle access. That is the basis of their request.

Mr. Dalessio asked how else would the snowmobile club be able to access the trails? Attorney Kinyon replied that the network of trails that the Hooper Hill Hoppers have maintained for many years is all down in the area toward Wentworth Road and the roads heading toward Westmoreland. The Hooper Hill Hoppers have not accessed the trails he indicated on the sketch.

Shane O'Keefe, 5 Adams Lane: Mr. O'Keefe advised that on Pelsue Road there is a home. There is no vehicle access but if they choose to do so they could. There are also two other properties that could have access if they chose to do so. He is not opposed to snowmobiles on Whipple Hill Road. It is supposed to be maintained at a 20-foot width at all times of the year, but it is not.

Shirley Gorton, 26 Gold Smith Tavern Road: Mrs. Gorton said they have permission to go on a field that goes down to Pelsue Road, they cross over to County Road and Whipple Hill Road. They have a neighbor who uses the same route. They have been snowmobiling down that road for twenty-five (25) roads or more. They are using Whipple Hill Road and there are some properties that they are able to access in that area. They cross County Road to get to Pelsue Road and then Whipple Hill Road.

Marcia Galloway, 467 Watkins Hill Road: Mrs. Galloway reported that the Pelsue Road has been an access road for the Hooper Hill Hoppers for many years. Snowmobilers go down Carpenter Hill Road and cross County Road. The trail groomer used to go up Whipple Hill Road, turn around just below where Pelsue Road comes in. They cannot do that now because there is a granite post beside the trail on the Class VI road; it may be on Mr. Spiveys property, but it looks close to the Town's right-of-way. They have been trying to get equipment down there because they have two bridges to maintain, and those gates have not helped. Ms. Mayberry noted the gates were removed.

Lew Shelley, 25 Scovill Road: Mr. Shelley supports the use of Whipple Hill and Pelsue Roads. He is concerned with using the word "all" Class VI roads in perpetuity. He feels they should leave some roads open for snowmobile use. He supports the use of snowmobiles on all Class VI roads, but he is concerned with the term "all". Ms. Mayberry asked if he had specific roads that he does not feel will be appropriate. Does he have a list he can give to the Selectboard? Mr. Shelley does. Mrs. Pschirrer noted he is probably the only person in Town who knows all the class VI roads. Is he thinking of the emergency roads? Mr. Shelley replied "no", but some roads have been washed-out and are damaged. Some cannot be groomed by a groomer. He would just like to leave a door open to making some changes in the future.

Larry Leclerc, 721 County Road: Mr. Leclerc advised the family has other land on Rapids Road, etc. He believes all Class VI roads should be accessible to snowmobiles. We cannot leave out one or two. A new owner might not like snowmobiles, and we will have this same problem all over again. We should have some consideration when there is a problem. All Class VI roads should be accessible by snowmobiles because even if they are badly washed-out when there is enough snow somebody could use the Class VI road to access their trail system. They have a lot of volunteers, and they do bridge work. They keep them open for emergency vehicles, walkers and cross-country skiers. They should be accessible to everybody.

On Class VI roads they should put in something to allow posting them during mud season from maybe the beginning of March to the first of June. He has a list of towns that shut down these roads during mud season. We need to preserve what we have.

Richard Francis, 257 Ramsay Hill Road: Ramsay Hill Road becomes a Class VI road about a mile away from his house. It connects with Reservoir Road. One of the great things about living in this area is the opportunity to use and enjoy the environment which means they can enjoy other people's land if it is not posted for walking or other uses. We should not limit the use of those lands or the Class VI roads.

Larry Britton, 311 Watkins Hill Road: Mr. Britton asked if there is a permanent residence on a Class VI road does it change the classification to a Class V road. Mrs. Pschirrer replied "no". Mr. Britton asked if there is any other place in the Town of Walpole that there is a house on the end of a Class VI road. Mr. Dalessio knows of a couple. Mrs. Pschirrer advised a property owner has to get special permission to build on a Class VI road. It remains a Class VI road unless it is taken to Town Meeting for a vote on the change. There is something attached to the Deed on Whipple Hill Road that states it is a Class VI road and they have to maintain that as a Class VI road.

Peter Dexter, 604 County Road: It is easy to have one person or a small group of people right now to make adjustments for them and not look toward the future. There is a lot of land that is not accessible in any other way, or it could be land locked. One day those properties might be sold and someone else will want to build on them. They would sign the waivers. If we change the rules and the access now, it limits those people for the future.

Shane O'Keefe: Mr. O'Keefe had a question on the wording. Did it state in perpetuity? Ms. Mayberry replied it does not. They meant if you grant the access until you change the access. Mr. O'Keefe advised there are a lot of towns that have a policy for Class VI roads. He recommends they create one and he will be happy to help with that. Mrs. Pschirrer noted that in their records from 2004 they discovered a Resolution on Class VI and private roads. Maybe they need to revisit that so everybody can see it. Ms. Mayberry felt they can look at what Mr. O'Keefe has to make sure they considered everything.

Bernard Perry, County Road: Mr. Perry asked if this discussion was only for snowmobiles and not gates and bars. Ms. Mayberry said this is has nothing to do with gates and bars. This is specifically to allow snowmobile use on Class VI roads. It is allowable to have gates and bars on Class VI roads, but they cannot be locked. We are working on this first.

Ms. Mayberry asked if there were any other comments. There were none. She thanked everyone for coming as they gave the Selectboard a lot of things to consider as they do appreciate them. The Public Hearing was closed at 6:28 PM.

Respectfully submitted,  
Regina Borden, Recording Secretary

  
Cheryl Mayberry, Chair

  
Steven Dalessio

  
Peggy Pschirrer

(Note: These are unapproved Minutes. Corrections will be found in the Minutes of the November 18, 2021, Selectboard meeting.)