Town of Roxbury
Planning Board Minutes
5 April 2017

Present: Amy Bodwell, Gerry Davis, Glenn Mallet, Josh Hicks, Don Tardiff, Marika Stuhlsatz, Chip Drogue
Guests: Dan Corley, attorney, Alan Klotzbier, Erica Schultz, Buddy & Nancy Matson John Baybutt, Fred Baybutt

The meeting was called to order at 7:00pm
The minutes were read and approved.

Attorney Corley discussed RSA 674:41 that permits, with town and variance approval, the use of class VI road, as access to dwellings. He mentioned that other towns have allowed this RSA to be put into place. He said there is benefit to the town and that no hardship as the property owner accepts all responsibility for road maintenance.

The Planning Board reviewed the current property deed that states, “This easement shall be for horticultural and silvicultural purposes only and shall not be for access to dwelling units or any other buildings or uses”. Given this, it appears the intent of the original property owner, was for this land to be woodlots only, not homes. It was felt that we could not move forward with that language in the deed. It was brought up that, if the issue went to court, abutting property owners would be permitted to give their view and the attorney agreed that they would have to be in agreement with the changes to the deed.

Even with deed changes, the town still states that residential dwelling must be on Class V roads, have 400 ft of frontage and 5 acres of land. There is question as to the status of the road in discussion and whether it is even considered a class VI road. It was suggested the attorney look into the exact description of the road. One suggestion was to consult Samuel Wadsworth’s Historical Notes of Keene and Roxbury.

Ms Shultz stated that according to her records, the property is considered buildable, residential lots. Chip explained how Avitar makes their designations when assessing property.

Marika made a motion to drop the discussion based on deed interpretation but discussion continued and the motion was not voted on.

The Baybutts were at the table to discuss having Granite Gorge an all season venue, rather than just alpine skiing. They reported that all the ski areas in NH have converted to year round activities as a way to stay solvent. We asked what types of events they would host and they are planning four for this season: three motorcycle climbs and one 4x4. In the future, they plan to continue music
venues, a festival that features crafts and local vendors (this has been ongoing), bicycle climbs, and mountain bike events. They currently have a disc golf course and are hosting a day camp this summer. When asked about food vendors, GG responded that they prefer to sell their own food rather than invite vendors to cook.

We asked about any complaints to the town or GG regarding the noise at any of these events and there have been none. The likely neighbor to be affected is MaryAnn Christensen and she has supported GG and not complained. Gerry said the biggest complaint is with traffic on RT 9. Since it is a very busy highway, events, especially if they were larger, could impact the road. The PB asked that any considerations for changing the status consider options for parking and traffic management.

The board asked about insurance and safety. GG has coverage and takes steps to protect spectators. They also stated that the event promoters also carry insurance.

On another matter, the board has now received all the documents required for the amended site plan for parking. Josh made a motion to accept the amended plan, Amy seconded and all voted in favor. The amended plan was approved.

Next steps:
Fred will send Amy the contacts of several ski area representatives who have been through this change with their towns.
We will consult ordinances and other documents regarding conforming and non conforming uses. This would impact our next steps.

The meeting was adjourned at 8:55pm

Respectfully submitted
Amy Bodwell