

## **John Mesick, Merrimack Valley Trail Riders**

In support of the Hoit Road Marsh OHRV compromise, HB 1316

- The Merrimack Valley Trail Riders is an OHRV club that was formed in Concord in 1972. We hold our monthly membership meetings in Concord. Concord residents who are members, and had utilized the marsh asked the club for assistance with the ban. Representative Flanagan, an OHRV enthusiast himself and known to be sympathetic, introduced the compromise amendment on our behalf. The compromise was coauthored with the NH Fish and Game Department.
- This bill was described in the minutes of the last Council meeting as a “repeal” of the OHRV ban. No, it is compromise to permit recreational OHRV use three days per week between 10:00am and 4:00pm. Holiday use would be prohibited. Hunters and fishermen actively engaged in those activities would have OHRV use at any time.
- The 100 acre marsh is isolated, wholly contained in a 291 acre State Wildlife Management Area. Approximately another 300 acres of municipal forests directly abut the WMA forming one square mile of uninterrupted public land with no houses. There is only one house visible from anywhere on the marsh, high up on a ridge ½ mile to the northwest. Both the public and private lands surrounding the marsh are primarily pine forests which attenuate sound.
- Noise is a very subjective subject. At the last House Legislative Committee hearing for this bill, residents near the marsh testified both for and against the compromise. Those who lived closest to the marsh testified that if they could even hear the OHRVs, it was not objectionable. Those who found the OHRV sound objectionable lived the farthest from the marsh.
- In the last City Council meeting minutes the issue was described as “motorcycle racing on the marsh.” The never has been racing on the marsh: No start-finish line, no flagman with a checkered flag, no time keeping, and no prizes. To the uninformed observer it might have looked like racing, just as recreational downhill skiers on the slopes might look like racers.
- In the February 2019 Council meeting minutes, it states that “Councilor Herschlag asked if it would make sense to have somebody approach these individuals to advise them of noise levels and to have respect for the neighboring residents near the pond letting them know that if this doesn't occur, the city will go to the legislature and they may potentially lose their opportunity to use the pond. Mayor Bouley stated that this has been done.” Unfortunately neither the OHRV users nor Fish and Game were informed – both learned of the ban after the governor signed the budget. Prior to this the OHRV users had initiated communications with some residents. When Fish and Game received complaints from one individual they facilitated three separate mediation meetings that the complainer chose not to attend.

- We were unable to receive permission from the Concord Police Department in a timely manner to conduct a sound level survey at Hoit Road Marsh. We conducted a survey at Turtle Town Pond in Concord. The report is attached.
  
- Many wild, false accusations against the OHRVs on the marsh have been made to the Concord Monitor and on social media including:
  1. A Zamboni machine was used to groom the ice.
  2. Portable flood lights were set up for night riding.
  3. Riders were out at 5:00am, or other early morning hours.
  4. OHRV users defecated on the ice.