



TOWN OF NOTTINGHAM, NH  
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## Statement from the Select Board

28 January 2020

The Town has been served with a lawsuit regarding the status of 26 private roads currently designated as Emergency Lanes. The class action complaint, filed by named and unnamed property owners, is available [here](#). It seeks to create a class of all property owners on those roads, and asks the court to declare them all as Class V, town-owned and -maintained roads.

The Board has held wide-ranging discussions over the past year regarding emergency lanes, with many hours of public input. We have worked to find reasonable and acceptable outcomes for all, and have made no policy changes. We are disappointed that this group of owners has taken this action against the entire community.

We believe that private ownership of these properties is, and always has been, clear. The authority to accept a Class V road belongs to Town Meeting. The Board will vigorously defend the Town's prerogative to make those decisions, and will defend it against the significant costs and liabilities that could result from being forced to accept these sub-standard private roads and driveways. We are now working with our attorneys to respond to the complaint.

Two current members of the Board, Donna Danis and John Morin, as property owners on said private roads, could potentially become members of the class bringing this case against the Town, if class status is granted by the court. As such, they have recused themselves from all Board discussion and activity regarding the case to avoid any conflict of interest.

Over the next several months, the Board will be working on this case but unable to discuss it in detail publicly. All public filings, and occasional updates from the Board, will be posted on the Town's website [here](#).

Anthony Dumas, Chair  
Benjamin Bartlett, Vice-Chair  
Tiler Eaton