

**RESIDENTIAL PROJECT MEETING  
MEETING SUMMARY  
OCTOBER 24, 2011**

**Present:** Judith Esmay, Jonathan Edwards, Vicki Smith, Kate Connolly, Iain Sim, Joan Garipay, Michael Hingston, Judith Brotman, Joanna Whitcomb

**Minutes October 17, 2011**

The minutes of October 17, 2011 were reviewed and amendments suggested. On a motion by Kate Connolly and a second by Joan Garipay, there was unanimous support for approving the amended minutes.

**Update from the Affordable Housing Commission**

Jonathan provided the in-town and rural policy drafts and maps to the Affordable Housing Commission. There is no focus on affordable housing in the current drafts so the Commission's input is valuable and important. The Commission will review the draft policies and maps at their meeting in December. A meeting between the Planning Board and Affordable Housing Commission will be scheduled on January 17 at 7:30 PM. In the meantime, Affordable Housing Commissioners are always welcome at the Residential Committee meetings.

**Discussion about Dimensional Controls in Zoning**

Michael Hingston explained the reason why the reading about dimensional controls from Rathkopf 's The Law of Zoning and Planning(Chapter 34, Regulation of Lot Area, Building Height, Lot Coverage, Density and Yards) was distributed. The intent is to understand and recognize the broad policy aspects of dimensional controls. Judith Esmay brought attention to a statement in the reading that pointed out that dimensions have an even greater relationship to the purposes of zoning than do use regulations. The police power, health, safety and general welfare are the basis of this form of regulation. The reading confirms that dimensional standards can be different across the Town.

The use of the word "auxiliary" instead of "accessory" might be a useful to employ in our zoning ordinance. "Ancillary" is another term that could be considered.

Community objectives, character of the area and the community's relation to other communities are stated in the text to be background considerations for setting lot size. It is hard to figure out what Hanover is trying to achieve with its variety of lot sizes. A table prepared by Judith Esmay in October 2009 listing dimensional requirements in each zoning district in Hanover was distributed.

Overlaying new dimensional standards on existing built areas can lead to non-conformity. The subclasses of lot size e.g. SR-1, SR-2, etc.) reflect the time when water and sewer were not as widely available.

How are health, safety and general welfare translated into metrics? What metrics quantify neighborhood characteristics? Sometimes professional standards are available, such as driveway width and building separation standards which are from the Fire Department. Light and air provisions relate the height of a building to the distance from a property line. The positive sense of enclosure vs. the negative sense of "looming" need to be controlled.

If zoning changes are proposed, there should be documented reasons for those changes. Using a generally accepted standard is a good place to start in developing new standards. The further the deviation from the objective standards, the more clear the reason needs to be for the deviation.

### **General Setback Discussion**

How much should setbacks vary across the Town? The Committee thought that variation in setback is appropriate. For existing built neighborhoods, the existing smaller setbacks should be considered. A side setback of around ten feet is the minimum acceptable. Except on Main Street, there is not a zero lot line setback in Hanover. Our setbacks start with what is necessary for fire and egress codes. Anything more would need to be justified based on the neighborhood. The rural front setback of 50 feet may be excessive. One member suggested that the reason for the 50 foot front setback in the Rural District helps hide houses. What is wrong with putting houses 20 feet from the front property line? The rural nature of the Town which is valued by many people may be benefitted from the deeper front setback. However, historically, farmhouses were as close as possible to the road. Front setbacks are important to keep houses safe from reckless drivers, and to provide distance from the traffic noise and snow storage area. There are privacy benefits as well.

**Front setback** Snow storage, parking, fire separation, distance from the dust and noise of the street, sidewalks, light and air are all good reasons to have a front setback. The Committee agreed to the following policy: Land use regulations should be developed to provide off street parking for cars. A policy to be considered is whether to allow houses closer to the street, and limit garages to a location further back than the front setback for a house. The Committee agreed that the 20 foot front setback should be the standard assumed minimum setback and that variations need to be justified according to other criteria including the neighborhood context. Two and a half stories is the assumed building height and relates to the front setback.

**Side setback** The impacts of side setback variations relate more to the neighboring property than the street. The Fire Department looks for a side setback of 20 feet for structures for fire safety. With a 2 and a half story building, is there adequate light and air?

**Rear setback** Rear setback affords some play space. Rear setback is more a protective buffer between neighbors than a limitation on building. It was noted that the front yard is most public, the side yard is semi public, and the back yard is most private and related to the useable open space of the house. The rear yard has a different function than the front or side yards.

Maybe lot coverage should be used to provide "play space". Building placement actually determines the yard area. Is it appropriate to accord rear neighbors more privacy than the side neighbors? Tear downs are happening and that situation should be planning for. Judith Brotman thinks the rear setbacks are too generous. Mike observed that there is no distinction between side and rear setbacks.

Limitations on lot coverage plus character of the neighborhood considerations can be used to address the "too big" house situation.

**Summary about side and rear setback** Light and air, access for fire safety, and privacy are reasons why side and rear setbacks are a good idea in residential areas. The Committee agreed that the 10 foot setback is the standard assumed side and rear setback. Any variations need to be justified according to other criteria and the neighborhood context. These setbacks are not negotiable and should not be subject to exceptions. Structures may not be located in side or rear setbacks. That said, functional items such as parking, fences and mailboxes are to be allowed but will be considered later.

## **Building height**

Residential buildings need to be residential in scale. Large scale apartment buildings are not planned in any residential area in town. The height of multi family structures should be recommended by the Affordable Housing Commission. The issue of infill is also really important.

Should new structures in the RO district be given more height? The residential nature of that district suggests that no additional height should be added.

**Summary on residential building height** Residential buildings need to be residential in scale and thus the Committee agreed that building height should be limited to two and a half stories with a possibility of adding a numerical cap. This might be modified in selected densely developed places such as West Wheelock Street and Brook Hollow. Affordable housing Commission comments will be useful on this topic.

Next week lot coverage, lot size, building bulk, lot coverage and building footprint will be discussed. Environmental considerations will come at a later date.

Meeting adjourned at 3:45 PM.

Respectfully submitted,

Vicki Smith, Scribe

NEXT MEETING ON MONDAY OCTOBER 31 at 1:30 pm.