

PLANNING BOARD
Meeting Notes
25 June 2013 at 4:00 PM
88 Wolfeboro Road- Tunis Schoolhouse

In attendance:

Members: Kate Connolly, Bill Dietrich (Vice-Chair), Judith Esmay (Chair), Joan Garipay, Iain Sim

Staff: Vicki Smith, Judith Brotman

Others: Anne Morris, Bill and Janine Swenson, Joe Bill, Mary Jo Slattery, Andy Stewart, Peter and Ashley Glynn, Michael Ridlinger, Barbara Fildes, Keith Quinton, Susan Sorenson, Nancy Collier, Adair Mulligan, Ann Crowe, David Noyes, Bill Noyes, Charlie and Charlotte Faulkner, Roger Soderberg

1. Neighborhood Planning Party- East Slope of Moose Mountain

Barbara Fildes welcomed everyone to the Tunis Schoolhouse, a building lovingly restored by Barbara and Keith Quinton. Judith Esmay introduced Planning Board members and staff and asked everyone else to introduce themselves and to note where they own land or where they live. Judith described the Residential Zoning Project and its history.

Master Plan 2003 Core Principles

Iain Sim read the seven core principles as stated in the 2003 Master Plan and asked for feedback about the principles.

- 1. Protect and preserve our natural resources.*
- 2. Respect, protect and strengthen the distinctive qualities of the urban and rural parts of Hanover.*
- 3. Actively manage future growth.*
- 4. Encourage affordable and diverse housing and development where served by existing municipal infrastructure.*
- 5. Expand opportunities for, and accessibility to, outdoor recreation.*
- 6. Reduce excessive reliance on automobile transportation and its adverse impacts.*

One comment: This principle is hard to apply to residents and landowners in this section of Town. Everyone is dependent on vehicles to shop and get to work. This is a “noble goal, but not feasible here.”

- 7. Preserve a healthy balance between community and campus so that neither dominates nor has an adverse impact on the other.*

Except for principle 6, there were no comments on the principles.

Master Plan and Zoning

A question about whether a master plan may not match a zoning ordinance brought up a discussion about the nature of a master plan and its relation to the zoning ordinance. It was explained that the zoning ordinance generally follows the guidance and policy background provided by the master plan. However, in some cases, zoning amendments are adopted and the master plan should be revised to provide the policy background for that zoning change.

Another discussion focused on whether it would be better to eliminate zoning all together. More people in the schoolhouse supported zoning and protections it affords, than people who wished to eliminate zoning. It was noted that the Planning Board tends to do an excellent job, but zoning interpretation can vary area to area.

Zoning Restrictions

A landowner complained that it is cost prohibitive for people of average income to have to go to the ZBA for routine zoning permitting.

There was support for maintaining the current lot size and a request to hash out a plan to allow single family year round residency. There was the suggestion that the neighborhood be allowed to vote on individual projects.

Human beings and historic communities are here. Zoning needs to take notice of the human beings.

One resident recalled her 2006 house renovation where the zoning would only allow an addition to be replaced as a replica. That was a problem because she wanted windows where there had been none. This part of the zoning ordinance has been changed to allow replacement with structures slightly different and without the requirement for a replica. The Zoning Ordinance should be reviewed to allow people to renovate their homes so they are safe, modern, efficient and possibly different from what exists today.

Another landowner said that he had lost confidence in the reasonableness of the Zoning Ordinance. He had a structurally deficient house. The architect had slightly changed the dimensions of the building. His application was denied because it differed from the original footprint by 1.5 feet.

Another landowner said that the seasonal dwelling restriction is unenforceable and unenforced. The Ordinance should be amended to become right-minded. She counted eight types of regulations including wetlands and minimum lot size that address issues that were previously dealt with by the seasonal only restriction. She noted that the seasonal dwelling restriction does not serve the right-minded goal of the ordinance.

There are unintended consequences to some of our regulations, but if you free up the regulations too much there will be more people and loss of neighborhood character.

Class VI Roads

Off road vehicle use of Class VI roads was noted as a problem resulting in excessive erosion of the road bed to the point that these vehicles drive on to private land to avoid the worst sections of road and in so doing damage more land and exacerbate the poor road conditions.

Roads

Lyme roads are in great shape. Landowners in this section of Hanover pay higher insurance costs because of the roads.

The former Town employee, Dan LaHaye, was an amazing grader operator. He knew how to grade roads with no material. Dan graded to the edge of the road with a crown to shed the water so there were no deep ditches to drive into. How a road is graded predicts how the next mud season will be. Roads are generally sound but recently a road had to be closed because there was no bottom to the road.

Evidently, the Town does not crown roads now because the crown tears up the plow blade. With a crown on the road, each side needed to be plowed rather than plowing the middle.

Road side mowing is very impressive and I appreciate the road maintenance.

The road crew is very good.

I appreciate the Town hauling away garbage we haul out of the woods.

Seasonal vs Year Round Residential Occupancy and Municipal and School Service Considerations

Peter and Ashley Glynn were frustrated by the “hoops” they needed to jump through. Their property has been in the family for 50 years. Because of the current seasonal use limitation and other zoning restrictions there was a lot of research involved with their zoning application which they felt was unnecessary and “does not benefit the people who live here.” They posed the question to the group: what if you had 80 acres in your family for 50 years and were told you could not live on it year round? Peter also said that the current zoning would not allow him to move his house and build a modern 21st century home.

Another landowner stated that when he bought his land, he knew there were restrictions against year round occupancy and that was fine with him. He noted that the goal at the time the seasonal restriction went into effect (1961) was to eliminate year round housing because it was so difficult and costly to provide municipal services to that part of Town. Over time, previously year round homes have been lost to decrepitude and fire.

Another landowner noted that she never rented her year round house to people with children as it was not fair to ask the school for increased bus service. She noted that it is a very rural area and she did not want to place too much burden on the Town for services.

Another landowner noted that it is State law that schools must provide transportation to the school from within a certain distance of each driveway. She thought it was unfair and she was irritated by the fact that she had to take her recyclables to Enfield, while there is curbside pick up on the other side of Moose Mountain.

It was suggested that it would be beneficial to the neighborhood (more farm families) and environment (more managed forest) to resurrect the former land use pattern by rebuilding the old homesteads. This would not be allowed given the seasonal use restriction on new dwellings.

One landowner said that with year round occupancy allowed, the East Slope would begin to look like Etna. The true rural character is unique in Hanover and important to the neighborhood's individuality. Allowing year round residency would result in homogenization.

One resident said that his uncle had bought property from the Town of Hanover at a tax sale. This was a 100'x100' lot. His cousin rebuilt the house. The Town zoned the property for seasonal use only. Now, his son is trying to sell the property and had to prove that it was used year round, not seasonally.

The point that no one lives forever was brought up with the thought that it is difficult to pass land along to multiple grandchildren because only one at most will be able to live on your land. The same person felt it was common sense that the neighborhood not become an "old age community." Another noted that the neighborhood should not be preserved as a museum, but should be allowed to exist as a thriving community. He noted that it was not easy living in this section of Hanover and that it took hard work improving the land to make the property more valuable and more beautiful.

There was concern about making a generational transition.

The worry about dramatic change to the area was raised if the seasonal occupancy restriction is eliminated.

Forestry

One resident was frustrated about the way restrictions were written and applied. He felt that forestry was arbitrarily restricted by the Department of Public Works via their bonding requirements.

Another wanted to get logs off his property as it is good management, but when he asked a logger to come to Hanover the logger declined the work because of the bonding requirement. Another added that in the winter loggers cannot hurt town roads.

Another has managed timber sales for 53 years and has found loggers not interested in dealing with the Town. He was worried about the forests being overgrown and becoming fire hazards.

Another suggested clearer standards for bonding. The standards should make the bonding amount predictable. There should not be discretion involved in setting the bond amount. Requiring the logger to call the Town before hauling is also a problem.

This is the "F" zone so there must be a balance between arbitrary decision making about who can come out here on which day. It is very difficult to practice forestry and hard to get loggers.

Logging is good for the land and the capriciousness of rules makes logging difficult. Good loggers do not want to waste time dealing with burdensome requirements. There was one episode about a logger damaging a town road. He has since passed away.

State and municipal regulations govern forestry activities.

Forestry is not industrial. Milling is not harvesting. In 1910, logs were brought down to the mill stream. There is nothing wrong with milling your own logs. That is very acceptable.

Our logging experience was a good one. We used a forester.

Agriculture

One resident has kept the land open since his farm burned in 1952. They grew cattle and potatoes. Forestry is also agriculture.

What qualities are appreciated?

Lush woods, open fields, scenic value, history, privacy, quiet, pastoral feeling, and beauty were mentioned. The resident added: I imagine only living here and want to preserve it. Others come and enjoy this part of Town. We are stewards at our own expense and work in the face of rules that get in our way of being good stewards.

I have been coming here for 40 years and it is quiet. I have never lived here. It is a pleasant place to be in a part of Hanover that no one knows exists. I have no objection to managed forest.

I enjoy country pursuits and I enjoy the people who live here. We call each other. That sense of community is what I want to preserve. This is an economically diverse section of town where everyone is here for country pursuits.

There is one word: agriculture. The whole land was made by agriculture. Just look at the old stone walls and you can see the fields. There are dams and cellar holes all over this mountainside. The boundaries of lots are like they are at strange angles to the road because they are remnants of the original land grant boundaries. Researching deeds you will see reference to Lot #26 owned by Nathaniel Hopkins. He was the original grantee. All lots started at about 60 acres. Many deeds will reference the land being part of the northerly or southerly half of a certain lot. Bounds were set by the north star. When you are walking through the woods and see a stone wall, you are most likely walking through an old field. In 1979 we had a stone house party where we worked with a bulldozer for two

days to clear stones out of our field so it could be farmed. My family attended school in this building. I want to preserve this history.

My parents attended the Goss School which closed in 1952.

I love the stone walls, the mountains and the views. People come out to our neighborhood on bikes, cars and on foot. Almost all slow down to take in our view. We should charge each one of them 25 cents.

The last subdivision in the area occurred when the Federal Government was assembling land for the Appalachian Trail. There has not been one since.

Another neighbor remembered the proposed large subdivision and spaghetti development for the McKinley lot which is now a natural area owned by the Town.

The character of this part of Town is the last vestige of the Town's history. This is how all of Hanover used to be.

The quality of stewardship. There is a lovely long history of people here who love where they are. I support change without unintended consequences.

This side of the mountain is poorly understood by folks on the other side of the mountain.

What would you NOT like to see?

Loss of the 50 acre minimum lot size or exceptions made to that rule.

A big subdivision which would bring a lot more traffic. With only one development we could get so much more traffic. Be careful about how growth comes.

People on the other side of the mountain have no clue about this area, but vote on what happens out here.

I do not want developers here. I want to stay here and raise my children and build a bigger house to accommodate them.

I am frustrated and agitated and now see the Glynn's point. It would be scary thinking about leaving our house to our kids. We would like to maintain and remodel our house without the problems our neighbors have had.

I am very concerned about losing the beauty, history and quiet. It is very important to be a good steward of the land, to manage it well, and to leave this legacy to our grandchildren without restrictions from others on the west side of the mountain. I am concerned about the loss of Wolfeboro Road. It has been wrecked by 4 wheelers and deteriorated from water eroding the road.

Other

I would like to incentivize people who want to preserve their land. We should help people who want to sell for conservation.

The Town managed the situation with the fraternity brothers well.

2. **ADJOURN:** The meeting adjourned at 6 PM.

Respectfully Submitted,
Vicki Smith, Scribe