

**PLANNING BOARD**  
**MAY 19, 2015 at 7:30 PM**  
**TOWN HALL, 41 SOUTH MAIN STREET**

In attendance:

**Members:** Kate Connolly, Judith Esmay (Chair), Joan Garipay, Michael Mayor, Iain Sim  
**Alternates:** Kelly Dent, Brian Edwards

**Staff:** Vicki Smith

Others: See Attendance Sheet

**1. OTHER BUSINESS:**

West Wheelock Working Group (Group): Smith said the Group met earlier in the day and talked about what was heard at Town Meeting. The Group's consensus is to take specific topics (traffic, parking, building massing, etc.) under study and report back to the Board on a regular basis. There was one very strong opinion that the whole issue should lay low for a while. The Group decided to seek direction from the Board about how to proceed.

MAYOR suggested getting the public more involved/informed and proceeding as currently proposed. DENT suggested adding a few questions about this amendment to a survey to be conducted for the Master Plan. She said a lot of people who live in single-family houses don't see any urgency to provide more housing in Hanover. Maybe we should open this up to the people that we see as needing this housing. EDWARDS suggested using social media to get conversations going online. ESMAY questioned whether professional help is needed from communication experts to help the Board get down to the real issue, which is growth.

GARIPAY said from the very first hearing, there was a very negative group that came in. As they became more vocal, there became more resistance. CONNOLLY said after responding to the Sargent Streeters, who did not want West Street included in the district, she does not recall there being that much opposition. EDWARDS said that letters about the Kendal amendment, printed in the Valley News the day before the vote, produced incorrect information that he believed influenced the voters. SIM added that there was no way for the Board to respond to the alarmist hyperbole of some of those advertisements. ESMAY said so many of the voters were inclined to vote 'no' on everything, including the housekeeping amendment, which was virtually a vote against correct spelling. SIM said the petitioned amendment being voted down with all of the others seems to suggest a general anti-zoning sense.

ESMAY said the consensus of the Board is for the Group to continue their work with attention to the identified complaints and with interfacing and involving the public as much as possible. The Board still feels that infill and growth is necessary in Hanover and that it should occur in the built-up downtown/urban regions; most specifically in that pocket of our urban region. ESMAY asked Board members to continue pondering how best to involve the public.

Master Plan Committee (CRISWELL, DENT, ESMAY, Smith): ESMAY said the Committee met to work out a process to revise the Master Plan. They acknowledged the work of the groups created to develop Lyme Road and Goose Pond, and the continued efforts of the neighborhood meetings. They discussed conducting a community survey. DENT said after the neighborhood meetings are finished we are going to get professional help to develop a survey. The content of the Master Plan is going to be short and sweet.

Building Footprint: ESMAY advised of her research relative to the measurement of building footprint. She said in every instance of sample definitions supplied by the APA guide, building footprint is measured from the perimeter of the building at the ground level, save one; where there is not a building wall from which you might measure, building footprint is measured from the farthest projection of the roof.

2. **MINUTES:** The minutes of April 28 and May 5, 2015 were approved.

### 3. CONTINUATION OF REVIEW OF RE-ORGANIZED ZONING ORDINANCE

Continued review of the EDWARDS/SIM spreadsheet comparison of pages 1 to 48 of the December 11, 2014 and January 14, 2015 draft revised Ordinances to the currently adopted Zoning Ordinance.

**Section 302 Definitions** / Section 902 Term Definitions of the current Ordinance.

- Continuing Care Retirement Community (CCRC): "... [a CCRC] shall have common facilities" was deleted.
  - ESMAY said she cannot recall why that was removed.
  - The Board agreed to keep the text of the current Ordinance.
- Downtown Commercial: "operated for profit, private, or non-profit purposes..." was added.
  - ESMAY said that was an attempt to establish a broad description before listing what is included.
  - The Board agreed with the proposed change.
- Drive-In Facility, Other: (1) this is a merger of Drive-in Facility, Other with Drive-In Restaurant or Refreshment Stand but these are clearly distinguished as different uses in different zoning districts. (2) drive-in theater is specifically mentioned as being not part of Drive-in, Other, which suggests it would not be permitted under any circumstance.
  - ESMAY said the definition merely defines the term "drive-in". It does not allow or disallow anything.
  - The Board agreed to revert to the text of the current language.
- Driveway: "... concrete or other similar substance giving *vehicular* access..."
  - Smith said driveways are meant to accommodate vehicles.
  - The use of bicycles, scooters and golf carts were questioned.
  - "automotive vehicles" was suggested.
  - ESMAY said the APA definitions speak of "vehicle" use.
  - The Board agreed with the proposed change.

- Dwelling, One-Family: (1) “A ~~detached~~ **single** residential **building containing a dwelling unit other than a manufactured house, ...**”
  - The relation of accessory dwelling units was discussed.
  - Smith said it is discriminatory to eliminate manufactured housing.
  - ESMAY read from the proposed definition of “Building”. She said where we say that a one-family dwelling is in a “building” we have excluded manufactured housing.
  - The Board agreed to refer this definition back to the Technical Review Committee.
- Dwelling, Multi-Family: “A **single** residential building designed for or occupied by three or more families, **each family living independently in a separate dwelling unit**.~~with the number of families in residence not exceeding the number of dwelling units provided.”~~”
  - ESMAY said this says the same thing but is more explicit.
  - The Board agreed with the proposed revision.
- Dwelling, Seasonal: the 1<sup>st</sup> paragraph was reworded; the 2<sup>nd</sup> paragraph was removed.
  - ESMAY said the 2<sup>nd</sup> paragraph is a rule, not a definition.
  - CONNOLLY said some of the 2<sup>nd</sup> paragraph is included in the current text of the Forestry and Recreation district Objective.
  - The Board agreed to move the entire 2<sup>nd</sup> paragraph to the Forestry and Recreation district Objective.
- Dwelling Unit: “owner occupancy, rental or lease” was rearranged; the final sentence was deleted.
  - CONNOLLY said the zoning was changed to allow the possibility of a second kitchen that would not constitute a second dwelling unit.
  - ESMAY said this change was made in close consultation with the Zoning Administrator. She would prefer to confer with Judy before revising it further.
- Essential Services: The 2<sup>nd</sup> sentence was deleted.
  - Smith said that language relieves Dartmouth of zoning review when replacing their utilities. Building Code and DPW requirements still apply.
  - The Board agreed that this language should be relocated elsewhere.
- Excavate: this definition has been expanded significantly.
  - The inclusion of “filling” was questioned.
  - It was suggested to change this from a definition of Excavate to a definition of Alteration of Terrain.
  - It was suggested to eliminate references to “cutting” and “filling”.
  - The Board agreed to state “The process of alteration the **existing terrain natural elevation** by...”
- FAA and FCC: were deleted
  - ESMAY said these acronyms are followed the complete spelling of those organizations where they appear in the proposed text.
- Family, Related and Family, Unrelated: were merged. The last sentence of Family, Unrelated was deleted.
  - ESMAY said “family” is so hard to define. A legal memorandum about the definition of “family” in zoning law and building codes goes on and on. Having “related” and “unrelated” categories is not helpful.
  - It was questioned how foster children and civil unions factor into the maximum number of persons.
  - The Board agreed with the proposed revision.

- Funeral Establishment: a huge part of the current text has been moved to Article XI.
  - The proposed definition restricts use to “human” funeral services.
  - It was agreed to eliminate “human” and “associated with funeral establishments”.
- Governmental Uses: “state” became “federal government and state government”.
  - ESMAY said that just seemed sensible.
  - It was suggested to remove “city” and “village”.
- Height: disappeared.
  - The use of “other structure” in the current text was questioned.
  - ESMAY said height is height. It is so commonly used it does not require a definition. How you measure height shows up in various places within the current Ordinance. All of those references have been combined into a separate section of the proposed revised Ordinance (Article 505).
  - Would it be helpful to say “Height: see page 52”?
- Hospital: was reorganized to list the uses after the definition.
  - ESMAY said she suspects this definition came out of the APA definition handbook.
- Hotel: what is magical about the 30-day limit?
  - ESMAY said the Committee felt they could not change that.
  - The Board agreed to leave the proposed text as is.

**4. ADJOURN:** The meeting adjourned at 9:30 PM.

Respectfully submitted,  
Beth Rivard