

# ORDINANCE #20

## TOWN OF HANOVER

### ORDINANCE OF THE SELECTBOARD

The Selectboard of Hanover, New Hampshire, ordain as follows:

## REGULATION OF PUBLIC CONSERVATION AND RECREATION LAND

1. **Preamble and Declaration of Purpose:** The Town has acquired various tracts of land, to be held for public purposes such as recreation, wildlife habitat protection, nature study, educational activities, forestry, conservation of natural resources, continued water quality improvement, maintenance of public infrastructure and other similar uses. In order to protect and preserve such tracts of land for their conservation and recreation values and to allow for reasonable public use, the following Regulation of Public Land Ordinance is hereby adopted. Because the role of the Town is to maintain and manage all of these properties, the activities of the Conservation Commission, Parks and Recreation Department and Public Works Department are expressly exempted from this Ordinance.
2. **Title:** This ordinance shall be known and may be cited as the “Regulation of Public Land Ordinance of the Town of Hanover.”
3. **Authority:** RSA 41:11-a and RSA 36-A:4.
4. **Definitions:**
  - A. **Public Land:** Shall mean any tracts of land acquired by the Town or licensed for use by the Town, and listed in Appendix A. The location and boundaries shall be determined by reference to the deeds or other recorded documents by which the Town acquired an interest therein. Such public land shall constitute a public place as defined in RSA 644:2 entitled “Disorderly Conduct.”
  - B. **Motorized Vehicles:** Shall mean any off highway recreational vehicle or snow traveling vehicle as defined in RSA 269-C:1 and any motor vehicle, moped, motorcycle or motor-driven cycle as defined in RSA 259:1.
5. **Prohibited Conduct on Public Land:** No person shall, on any public land:
  - deposit any rubbish, waste, yard waste, paper, liquid, or other offensive or unsightly substance, including pet waste;

- consume alcohol;
- play amplified music unless granted an Outdoor Activities Permit;
- erect any rope swing or diving board;
- access any property posted as limited to use between dawn and dusk beyond the stated access hours;
- host large gatherings in ecologically fragile areas noted on entrance kiosks or signs;
- excavate soil or gravel;
- change the topography or hydrology of any portion of the land;
- erect or place any structure, sign or plantings;
- store any materials, personal belongings or vehicles;
- set traps or trap wildlife; or
- perform maintenance work, forestry, trail or roadwork.
- other activity that is not deemed to be in the public interest

Uses on some public lands are further restricted by conservation easements. The public lands with conservation easements are indicated in Appendix A. Please refer to the conservation easement for any additional prohibitions.

6. **Special Permit Activities:** The following activities are allowed only with permission in writing from the Chairman of the Hanover Conservation Commission, the Hanover Town Manager and the Hanover Chief of Police. Such permission may be obtained by completing a Special Permit Form as provided by the Town.

- A. Kindle a fire, including any camp or cooking fire, except in those places where a suitable fireplace has been constructed and furnished by the Town and the use of camp stoves utilizing liquid or gas fuel.
- B. Operate any motorized vehicles. There shall be excepted from this prohibition, emergency vehicles as defined in RSA 259:1, VII-a and vehicles of the Town of Hanover used for the purpose of construction, maintenance or repair of the public land or any road or sewer or water line contained therein.
- C. Pitch a tent or place or erect any other camping device or sleep on the ground.
- D. Tap trees.
- E. Research or educational activity.

Uses on some public lands are further restricted by conservation easements. The public

lands with conservation easements are indicated in Appendix A. Please refer to the conservation easement for any additional prohibitions.

In addition, management plans have been developed for some public lands. For activities proposed on these properties, the Town may only approve requests that are consistent with the management plan.

7. **Special Permit Form:** The Special Permit Form shall contain the following information:

- (I) Description of specific activity for which permission is requested.
- (II) Where the activity is to take place shown approximately on a map of the tract.
- (III) The duration of the activity and the starting and ending date.
- (IV) The name, street address, telephone number and email address of the person making the request who will be considered responsible.
- (V) If applicable, the name of the group for which the request is made.
- (VI) Any other information that would be helpful such as number of people in the group, age level, purpose and experience.
- (VII) Mutually agreed conditions to be met by the applicant.
- (VIII) In addition, a certificate of insurance evidencing the applicant currently holds General Liability Insurance (\$1mm per occurrence, \$2mm general aggregate) shall be submitted with the Special Permit Form. The applicant may request a waiver from this requirement for good cause. This request must be in writing and submitted with the Special Permit Form and will be considered on a case-by-case basis by the Town Manager.
- (IX) If the request includes any form of vegetation management, written permission from the Conservation Commission indicating that the requested activity has been found to be consistent with the Conservation Commission Vegetation Management Policy.

8. **Hours:** Public lands are open to the public year-round with no restriction except that the following public lands may only be accessed from sunrise to sunset:

- Kendal Riverfront Park
- Mink Brook Natural Area via the River Trail

- Balch Hill Natural Area
- South Esker Natural Area

Public lands may be temporarily closed for maintenance or until hazardous conditions are remediated.

9. **Hunting:** Hunting on public lands is permitted consistent with rules promulgated by NH Fish and Game, unless expressly prohibited by the Selectboard.
10. **Penalty:** The penalty for the violation of this Ordinance shall be a fine determined by the Selectboard not to exceed One-Hundred Dollars (\$100) per day per violation.
11. **Appendix A:** Appendix A is attached and made a part of this ordinance. Appendix A may be revised administratively from time to time to reflect additions to the Town's public lands.

Adopted August 3, 1982

Section 6 (formerly Section 7) Amended effective November 26, 1983

Amended 11/04/96, 9/13/99

Section 3 and 4. A were Amended on 09/13/99

Section 7 (formerly Section 5) was Adopted on 09/13/99

Section 6 (formerly Section 7) was Amended on 09/13/99

Sections 1, 4A, 5 (formerly Section 6), 6 (formerly Section 7), 7 (formerly Section 5), Section 10 (formerly Section 8), Section 11 (formerly Section 9) were amended on ??/??/17.

Sections 8 and 12 were added on ??/??/17.

Section 4C was eliminated on ??/??/17.

Amended 08/05/2019

Amended 06/07/2021

## EFFECTIVE DATE

Having held a public hearing, the Selectboard voted to adopt this Ordinance on the 7th day of June, 2021, which shall be the effective date hereof.

IN WITNESS WHEREOF, a majority of the Selectboard have hereunder set their hands.

TOWN OF HANOVER  
SELECTBOARD

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Peter L. Christie, Chair

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Athos Rassais, Vice Chair

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Nancy A. Carter

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William V. Geraghty

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Joanna Whitcomb

## Appendix A

### Town-Owned Conservation Lands

Name	Address	Entrance/Access
Algonquin Tract	1 Algonquin Trail	1 Algonquin Trail
Anne Frey Park	6 W. Wheelock Street	6 W. Wheelock Street
Balch Hill Natural Area	27 Hemlock Road	Hemlock Road or Grasse Road
Beryl Piper Little Nature Area	13 Pipers Lane	Pipers Lane or River Road
Camp Brook Tract	81 Reservoir Road	Reservoir or Grasse Road
Costello Field	195 Etna Road	195 Etna Road
Dagmar's Place	20 Valley Road ROW	20 Valley Road ROW
Dana Forest East	1 Old Dana Road	Parking at cemetery
Dana Forest Moose Mt.	47 Moose Mtn Lodge Rd	Park at gate
Dana Forest Pasture Road	41 Moose Mtn Lodge Rd	West side of Pasture Road (Class VI)
Dana Forest West	79 Ruddsboro Road	79 Ruddsboro Road
Etna Highlands Tract	20 Etna Highlands Road	Etna Highlands Road (Class VI portion)
Farr Property	161 Greensboro Road	Via Shed 2 at 181 Greensboro Road
Fuller Tract	51 Moose Mtn Road	Park at gate
Gile Tract	215 Lebanon Street	Medical Center Drive Trail Head or Gile Drive
Grasse Road Baseball Field	39 Grasse Road	39 Grasse Road
Great Hollow Forest	55 Great Hollow Road	No road frontage
Hayes Farm Park	132 Hanover Center Rd	Parking at Etna Library or behind Etna Fire Station
Kendal Riverfront Park	84 Lyme Road	Route 10
Marshall Pressey Natural Area	39 Goose Pond Road	Goose Pond Road
<i>McKinley Tract</i>	<i>146 Wolfeboro Road</i>	<i>Wolfeboro Road or Goose Pond Road</i>
Miller Road Tract	33 Goose Pond Road	33 Goose Pond Road
Mink Brook Community Forest North	Greensboro Road	Driveway just west of brick farmhouse
Mink Brook Community Forest South	Greensboro Road	Farr Field; Driveway west of brick farmhouse on north parcel
Mink Brook Northside	111 South Main Street	West end of Maple Street or South Main Street from substation
Mink Brook Gould Farm	194 Lebanon Street	Martin Lane, Route 120 or down steep bank from DPW facility
Mink Brook Martin Lane	8 Martin Lane	Martin Lane

Mink Brook Stone Farm	114 South Main Street	Brook Road and South Main Street
Old Dana Road	31 Old Dana Road	31 Old Dana Road
Piane Tract	23.5 Rip Road	23.5 Rip Road
Pinecrest Acres Tract	11 Laurel Street	Off Aspen Street or Laurel Street

#### Appendix A (continued)

#### Town-Owned Conservation Lands

Name	Address	Entrance/Access
Plummer Tract	34 Thompson Road	No road frontage
<i>Rinker Steele Natural Area</i>	83-85 Lyme Road	Trail head on Route 10, Storrs Pond Recreation Area, Ferguson Field across from Kendal at Hanover driveway entrance
South Esker	121 South Main Street	West end of Spencer Road or Pine Knoll Drive
Tanzi	87.5 Lebanon Street	Lebanon Street or Brook Road
Tenney Park	4 Thompson Terrace	4 Thompson Terrace
Town Forest	56, 57 and 66 Tunis Rd	Tunis Road at Goose Pond Road
Trescott Ridge Wetlands	11 Woodcock Lane	Trail head on Woodcock Lane
Verona Ave Trail Head	12 Verona Avenue	12 Verona Avenue
Wilson's Landing	110 Lyme Road	110 Lyme Road
Woodmore Tract	11.5 Woodmore Road	Woodmore Road or Ray School

*italicized names mean a conservation easement protects this property*

<b>Other small properties:</b>		
Chandler Road Triangle	40 Ruddsboro Road	Wildland
Small brook tract	5 Thompson Road	Wildland
Small Pressey Brook tract	42 Goose Pond Road	Wildland
Unnamed small tract	60 Goose Pond Road	Wildland
Fadden tax sale tract	61 Goose Pond Road	Wildland

**TOWN OF HANOVER**

**ORDINANCE #20**

**REGULATION OF PUBLIC LAND**

Date of Notice as to Posting and Publication: May 19, 2021 (Posting), May 27, 2021 (Publication)

Date of Public Hearing: June 7, 2021

Date of Adoption: June 7, 2021

Date of Notice of Adoption and Effective Date: June 7, 2021

Date of Recording in the Town Records: \_\_\_\_\_

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Betsy McClain, Town Clerk