

Q&A on Hanover Planning and Zoning

Why does Hanover need a zoning ordinance?

A zoning ordinance allows the town to regulate the size, location, and use of buildings and other structures for the purpose of promoting the health, safety, and general welfare of the community. The Zoning Ordinance is a way of balancing an owner's personal property rights and the Town's obligation to regulate for the public good.

What is a master plan?

A master plan is a planning document that guides the overall character, physical form, growth, and development of the community. Developed with community input, it sets forth a vision and goals to guide local officials when they are making decisions on budgets, ordinances, capital improvements, zoning, and other development related decisions. Hanover's Master Plan was adopted by the Planning Board in 2003 after ten years of preparation and 100 public hearings; copies are available for viewing on the Town website (www.hanovernh.org), at the Howe Library, at the Town Library in Etna, and at the Planning and Zoning Department in Town Hall, where it can also be purchased. Our present zoning project will include a review and update of the 2003 Master Plan.

What are the major goals of the Hanover Master Plan?

The Hanover Master Plan establishes seven core principles. It strives to:

- protect and preserve our natural resources;
- respect, protect and strengthen the distinctive qualities of the urban and rural parts of Hanover;
- actively manage future growth;
- encourage affordable and diverse housing and development where served by existing municipal infrastructure;
- expand opportunities for, and accessibility to, outdoor recreation;
- reduce excessive reliance on automobile transportation and its adverse impacts; and
- preserve a healthy balance between community and campus so that neither dominates nor has an adverse impact on the other.

Does the Master Plan set a population goal?

The Town cannot prohibit the growth of population. In order to preserve our open space, the Master Plan does establish a preference for population distribution, with 25% of our population in the rural area and 75% in the urban area. The present distribution is closer to 20% rural and 80% urban.

What defines our rural and urban areas?

Hanover's "urban"—or in-town—area is that portion of the Town served by municipal water and/or sewer services. All the rest is "rural." There is no present intention to expand that municipal infrastructure.

What is a Capital Improvement Plan?

A CIP is an outline of anticipated expenditures for capital projects projected over a period of at least six years. Capital projects are those that relate to infrastructure and land purchases; they do not include regular maintenance and operations. By law, a CIP is approved by the Planning Board in consultation with the Select Board and School Board. Hanover's CIP is presently in development.

What do we mean by growth?

Growth is a form of change and not just a numerical increase in population. It happens when a house is sold to a bigger family, when a bigger garage or a rental unit is added to a house, when the college built the Visual Arts Center, when the Etna Library expands, and when an owner tears down and replaces that tear-down with a bigger house. Growth and demographics can be very subtle; an increase in housing units may not result in increased school enrollments or greater population. Although a municipality cannot prohibit growth, the law allows various means for the management of growth—by directing growth to certain areas, regulating the number of building permits issued, and regulating types of land uses.

How do we project growth?

We can project growth by analyzing US census data, by the number and nature of building permits issued, by economic and employment data collected by state agencies, by a build-out projection, that is, by envisioning the result if all Hanover land were developed according to the Zoning Ordinance. Analysis includes an estimation of how fast the population will grow, that is the rate of growth.

How does a zoning ordinance govern use?

Traditionally, a zoning ordinance separates a municipality into districts in order to separate what the community believes to be incompatible uses or discrete development patterns. In each district, some uses are permitted by right and others are permitted by special exception. If not expressly permitted, a use is prohibited unless a variance is granted. Zoning ordinances regulate the types of land uses and activities that can occur on a property and the intensity of that use. Intensity of use can be regulated, for example, by limiting size of lot, dimensions of structures, number of units, noise, and night lighting.

How does a zoning ordinance govern density?

Where it permits residential use, a zoning ordinance can permit only certain housing in a zoning district—such as single family, two-family, or multi-family use under a single roof. The ordinance also establishes minimum lot sizes and street frontages for each district.

What are non-conformities?

Non-conformities are uses, structures, or lots that were legal when they were created but could not be created under the present ordinance. The existing use, structure or lot is “grand-fathered” and is allowed to remain. Some changes to the original use, structure or lot may be allowed by the Zoning Administrator; other changes require the approval of the Zoning Board of Adjustment. Many of our older neighborhoods have non-conforming houses, such as a closer-than-allowed proximity to the street. Some of our earlier subdivisions, located in the rural residence zoning district, have non-conforming lots, being less than the three-acre minimum size lots now required.

How are land use ordinances implemented?

The Zoning Ordinance is implemented through the permitting process every time an owner seeks to develop his or her property. Depending on the nature of the change, review is conducted and decisions are made by the Zoning Administrator, the Planning Board, or the Zoning Board of Adjustment—all in accordance with New Hampshire statute, Hanover Zoning Ordinance, and regulations adopted by the Planning Board.

What do Planning Board regulations govern?

Subdivision regulations govern the division of land, and site plan review regulations govern the development of a property for multi-family and non-residential uses.

Why are we revising the Zoning Ordinance now?

The Hanover Zoning Ordinance has served us well. But it has absorbed some 200 separate amendments since its adoption in 1976 and is now in need of overhaul to address internal inconsistencies, scattered provisions, conformity to state law, and ambiguity of expression. Those amendments, as well as our form of zoning, have rendered many residential properties nonconforming, imposing burdens on owners of those properties who wish to make reasonable changes to them. Moreover, the Zoning Ordinance does not reflect well the character of the existing residential neighborhoods that it is intended to regulate, particularly older in-town neighborhoods. Our goal is to simplify and clarify the Zoning Ordinance with an emphasis on protecting the character of each of the town neighborhoods.

Does Hanover coordinate planning with other towns in the Upper Valley?

The Upper Valley Lake Sunapee Regional Planning Commission, which includes Hanover and 26 other New Hampshire municipalities, coordinates planning, acts as a liaison between local and state and federal governments, and provides advisory technical

assistance. In addition, Hanover's opinion is sought whenever an adjacent municipality is considering an application for development that may have regional impact. An area of continuing inter-municipality concern, for example, is the volume of traffic along the Rt 120 and Rt 10 corridors.

How will neighborhoods and their boundaries be established?

The Planning Board will consult extensively with Town residents so that neighborhoods are self-defined and recognize patterns of community life and interaction already present in our neighborhoods.