

ORDINANCE #20

TOWN OF HANOVER

ORDINANCE OF THE BOARD OF SELECTMEN

The Board of Selectmen of Hanover, New Hampshire, ordain as follows:

REGULATION OF PUBLIC LAND

1. **Declaration of Purpose:** Over the years, the Town has acquired the ownership of various tracts of land to be held for public use, such as forestry management, hiking, skiing, nature study and other similar uses. In addition, landowners have conveyed easements to the Town under the Supervision of the Hanover Conservation Commission for public use such as trails and footpaths. Such easements and Town owned tracts of land are listed in Appendix A, attached and made a part of this ordinance, which shall be revised from time to time to reflect additions. An easement or tract of land shall be added to Appendix A after its conveyance and recording in the Grafton County Registry of Deeds and acceptance by the Selectmen. Such revisions of Appendix A shall not require any hearing or amendment of the ordinance. In order to protect and preserve such trails, footpaths and tracts of land for reasonable public use, the following Public Land Ordinance is hereby adopted.

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, RSA 36-A:4, and RSA 47:17

4. **Definitions:**

A. **Public Land:** Shall mean any easement conveyed to the Town by deed duly recorded and listed in and as updated in Appendix A; and tracts of land acquired 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. For the purposes of his ordinance, 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.

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

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- C. **Permission in Writing**: Shall mean a special Permit Form signed by the Chairman of the Hanover Conservation Commission and the Hanover Town Manager and initialed by the Hanover Chief of Police. The 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.
 - (III) The duration of the activity and the starting date.
 - (IV) The name and address and telephone number 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.

5. **Hours: Access to the Downing Road Nature Trail, including the area surrounding the rope swing on the banks of the Connecticut River, and the Balch Hill Nature Preserve, including the public access point located at 27 Hemlock Road, is only allowed from thirty (30) minutes before sunrise to thirty (30) minutes after sunset.**

6. **Prohibited Conduct on Public Land**: No person shall, on any public land deposit any rubbish, waste, paper or other offensive or unsightly substance.

7. **Special Permit Activities**: The following activities are allowed only with written permission from the Chairman of the Hanover Conservation Commission and the Hanover Town Manager and notification to the Hanover Chief of Police. Such permission may be obtained by completing a Special Permit Application 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.

Section 5 was Adopted on 09/13/99
Section 7 was Amended on 09/13/99

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- 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 and/or Hanover Water Company used for the purpose of construction, maintenance or repair of the public land or any sewer or water line contained therein.
- C. Pitch a tent or place or erect any other camping device or sleep on the ground.
- D. Remove soil or gravel.
- E.* Tap, blaze, paint, trim, top, cut or remove trees.
- F. Erect or place any sign.
- G. Maintenance work, forestry, trail or roadwork, and any other work designed to improve the use of the public land.

8. **Penalty:** The penalty for the violation of this Ordinance shall be a fine not to exceed One-Hundred Dollars (\$100).

9. **Notice to Abutters:** An application for a special permit for activities described in paragraph 7.D, E and G, shall require notice to the abutters, as defined in RSA 672:3, and to the Conservation Commission. The notice shall be in writing and shall contain a brief description of the proposed activity, the public land involved and where a copy of the application can be inspected.

If there is an objection to the application from any abutter and/or the Conservation Commission within ten (10) days from the date of the notice, the objection should be made to the Town Manager and the Manager shall place the application matter on the agenda of the Selectmen. Notice of the Selectmen's meeting shall be mailed at least seven (7) days prior to the meeting to the applicant, the abutters and the Conservation Commission. The Selectmen shall provide an opportunity for public comment as to the application. The Selectmen may advise the Manager as to the issuance of the permit.

No work shall be performed until the special permit has been issued and signed by the Chair of the Hanover Conservation Commission and the Hanover Town Manager with notification to the Hanover Chief of Police.

Adopted August 3, 1982

* Amended effective November 26, 1983

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

APPENDIX A

**Table of Town-Owned Lands Under Supervision of
 Hanover Conservation Commission**

Name	Lot	Acres	Location	Entrance
Bottomless Pit	1-22	11.4	55 Great Hollow	No Road Frontage
Etna Highlands Area	2-31	12.5	20 Etna Highlands Northerly Side Of Etna Highlands Road Near Hayes Hill	Etna Highlands Road (Class VI Portion)
Pinecrest Acres	2-80	3.1	11 Laurel Street West Of Aspen Street Off Hardy Hill Near Lebanon Line	Off Aspen Street From Laurel Street
Trescott Ridge	5-46	12.9	11 Woodcock Lane Between Woodcock Lane And Quail Drive	Off Woodcock Lane
Dana Forest East	6-8	84	1 Old Dana Road	Old Dana Road Or Ruddsboro Road
Chandler Road And Ruddsboro Road (Triangle Parcel)	6-14	.9	40 Ruddsboro Road	Chandler Road Or Ruddsboro Road
Pasture Road	6-44	132	41 Moose Mountain Lodge Road	On Pasture Road
Dana Forest West	6-51	99	79 Ruddsboro Road	Ruddsboro Road

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Rinker Pond	8-4	17.6	East Side Of Route 10 North Of Storrs Pond And Appx 2 ½ Miles From Hanover Post Office	Route 10 Or Storrs Pond Recreation Area
Wilson's Landing	8-20	2.98	110 Lyme Road	Lyme Road
Algonquin	9-106	0.7	Southerly side Of Dogford Road	Algonquin Trail
Dana Forest	10-28	28	47 Moose Mountain Lodge Road	No Road Frontage
	10-31		Moose Mountain	
Town Forest	14-8	0.7	56 Tunis Road	Tunis Road
Town Forest	14-9	73	66 Tunis Road	Tunis Road
Town Forest	14-12	16	57 Tunis Road	Tunis Road
Marshall/Pressey Brook	14-26	96	39 Goose Pond Road Confluence Of Pressey And Marshall Brook Between Goose Pond Road And Canaan Line	Goose Pond Road Or Easterly End Of Wolfeboro Road
	14-28	1	60 Goose Pond Road	Goose Pond Road
Pressey Brook	14-34		Easterly side Of Pressey Brook And West Side Of Goose Pond Road	Goose Pond Road, South Of bridge

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McKinley Tract	14-41	125	146 Wolfeboro Rd.	Logging Road Access Of Goose Pond Road Just North Of Bridge
Emily Lane Wetland	15-93	3.1	Off Mulherrin Farm Road	Off Mulherrin Farm Road
Brook	16-10		5 Thompson Road	Thompson Road
Moose Mountain	16-14	63.7	34 Thompson Road	No Road Frontage
South Esker/South Side of Mink Brook	19-15	26	Between South Main Street And Connecticut River	From Sewer Plant Or End Of Spencer Road
	19-16		Main Street	
Mink Brook Stone Farm	19-33	7.2	114 Main Street	Brook Road North Side And South Side of South Main Street
Mink Brook Greenway – Gould Farm	21-3	5	194 Lebanon Street	Along Mink Brook Through The Underpass Or From The Town Garage Down The Steep Embankment Or From Martin Land And The Town’s Martin Farm Land By Crossing The Brook.
Mink Brook Area	23-2	37	111 Main St./ Downing Road Along Northerly Bank Of Mink Brook West Of Main Street To Connecticut River	West End Of Maple Street Or South Main Street Near Substation

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Angelo Tanzi Area	24-43 24-49	18.6 (Both parcels)	87 ½ Lebanon Street On Northerly Bank Of Mink Brook	Right-Of-Way From Lebanon Street On Lot 24-43
Mink Brook	25-52		8 Martin Lane	Martin Lane
On Mink Brook	31-13	0.05	137 Martin Lane Between Etna Road and Mink Brook north of Etna Library	Etna Road
Access to Balch Hill	44-57		23 ½ Rip Road Piane Trail	Rip Road
Balch Hill Natural Preserve	45-7	25	27 Hemlock Road Top Of Balch Hill	Right-Of-Way At End Of Hemlock Road Across Lot No. 45-4
South Side Reservoir Road	48-3	19.6	81 Reservoir Road	Reservoir Road
Miller Road	51-23		33 Goose Pond Road	Miller Road

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EFFECTIVE DATE

Having held a public hearing, the Board of Selectmen voted to adopt this Ordinance on the
13th day of September, 1999, which shall be the effective date hereof.

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

TOWN OF HANOVER
BOARD OF SELECTMEN

Brian F. Walsh, Chair

Marilyn W. Black, Vice Chair

Katherine S. Connolly

John W. Manchester

John P. Colligan

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Date of Notice as to Posting and Publication: 7/6/00 7/8/00

Date of Public Hearing: 9/13/99

Date of Adoption: 9/13/99

Date of Notice of Adoption and Effective Date: 7/8/00 9/13/99

Date of Recording in the Town Records: _____

Sallie Johnson, Deputy Town Clerk

Date of Approval by Town Legal Counsel as to Form and Authority: 6/10/99
