

ORDINANCE #41
TOWN OF HANOVER
PARKLETS ORDINANCE

1. Purpose

This ordinance regulates the temporary establishment, maintenance, and operation of space within dedicated street right-of-way limits for public, private, civic, and commercial use as Parklets.

2. Parklet Zone designation and limitations

The Town Manager has designated town street parking spaces, known as Parklet zones, where Parklets may be established and maintained. The layout of the Parklet zones considered impediment to public use of streets, pedestrian and vehicular safety, congestion, noise, litter, and public health. The Parklet zones are shown on the attached Parklet Zone Map.

A maximum of sixteen total parking spaces shall be allocated for Parklet use, and no Parklet shall exceed four parking spaces

3) Application Process

- a) Applications may be submitted between the dates of November 1 and March 15.
- b) Submit a completed application form and Parklet plan (architectural renderings & site plan) to the Planning Department
- c) Submit copies of any Town and State permits that may be required (food license, liquor license, etc).
- d) Pay a non-refundable application fee of \$50 at the time of application
- e) Provide direct notice of their application to all businesses within a 50-foot radius of the proposed Parklet location.

4. Design and placement (see attached design guidelines)

- a. Service access to public and private utilities,
- b. Maintain paths of water drainage from the centerline of road to curb and along the curb
- c. The finished surface of Parklet floor to be flush with curb, with a ½ inch gap max
- d. 72” water filled jersey barrier or 1,000 lbs planter installed 4-foot distance before the parklet
- e. 4-foot distance from Parklet to wheel stop, 3-foot wheel stop
- f. Reflective soft hit posts at each corner of the Parklet-occupied parking space
- g. Protected outside edge with Manual on Uniform Traffic Control Devices-compliant object markers

- h. Parklets may feature:
 - i. Tables and chairs
 - ii. Benches
 - iii. Planters and landscaping features
 - iv. Art Work
 - v. Bike Racks

While other features may be acceptable, the goal of these spaces is to enhance the pedestrian experience downtown by providing places for activities on the commercial streets of the Town. Parklets may only be restricted to use by patrons of a particular establishment or group of cooperating businesses during their operating hours.

5. Review

- a. Parklet applications shall be reviewed by the Town Parklet Review Committee, consisting of representatives from Police, Fire, Public Works, Planning, Zoning, and Code, using the following technical compliance criteria:
 - i. Pedestrian and ADA accessibility
 - ii. Material maintenance, installation, and removal portability
 - iii. Attractiveness and durability of the design
 - iv. Safety considerations, including barriers, railings, wind stresses, traffic & pedestrian visibility
 - v. Assignment of maintenance responsibility - trash, etc
 - vi. Drainage management & access
- b. The Town Parklet Review Committee shall consider the following when determining whether to approve a Parklet application:
 - i. Impact on the residents and businesses in the immediate area
 - ii. Aesthetics
 - iii. Applicant's experience with prior Parklets, including public health, public safety, and utilization
 - iv. Variety of Parklets - style and usage

6) Licensing, installation, operational requirements

- a) Following approval by the Town Parklet Review Committee and approval by the Town Manager, each applicant shall enter into a license agreement with the Town under which the applicant shall construct and operate the Parklet.
- b) The Parklet permit is not assignable without the prior consent of the Town. Prior to the construction, installation, or operation of any Parklet component, the applicant shall:
- c) Provide the Finance Director with proof of comprehensive general liability insurance in a minimum of \$ 2,000,000 per occurrence, naming the Town as additional insured; and

- d) Pay the Town a \$250 per parking space encumbered by the Parklet. Said funds to be deposited into the Parking Fund to offset the loss of parking revenues.
- e) When the Parklet is in operation, the applicant shall conform to all laws and regulations relating to the sale and consumption of alcoholic beverages and food safety within the Parklet.
- f) Parklets may be maintained and operated only during the period commencing May 1, unless otherwise approved by DPW, until October 31 of each year.
- g) The Town reserves the right to order or undertake the immediate removal of a Parklet in the event of an emergency or street maintenance or repair.
- h) The Town Manager may terminate the permit prior to expiration based on violation of ordinances, improper use of the Parklet, or evidence of negative impact in the area.
- i) The applicant's failure to comply with the license agreement shall result in the revocation of the permit, require the removal of the Parklet within 48 hours of the revocation, and restore the area to a condition at least equal to pre-existing conditions. The Town reserves the right to take legal action to recover costs if the applicant fails to remove the Parklet in a required time frame, and the Town must handle removal. The applicant is responsible for all costs incurred by the Town in remediating any non-conformance with the ordinance or the agreement for Parklet removal and site restoration after October 31 or otherwise.

Having held a public hearing on March 21, 2022, this Ordinance shall be in effect as of March 21, 2022.

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

TOWN OF HANOVER SELECTBOARD

Peter L. Christie, Chair

Athos Rassias, Vice Chair

Nancy A. Carter

William V. Geraghty

Joanna Whitcomb



Parklet Zones

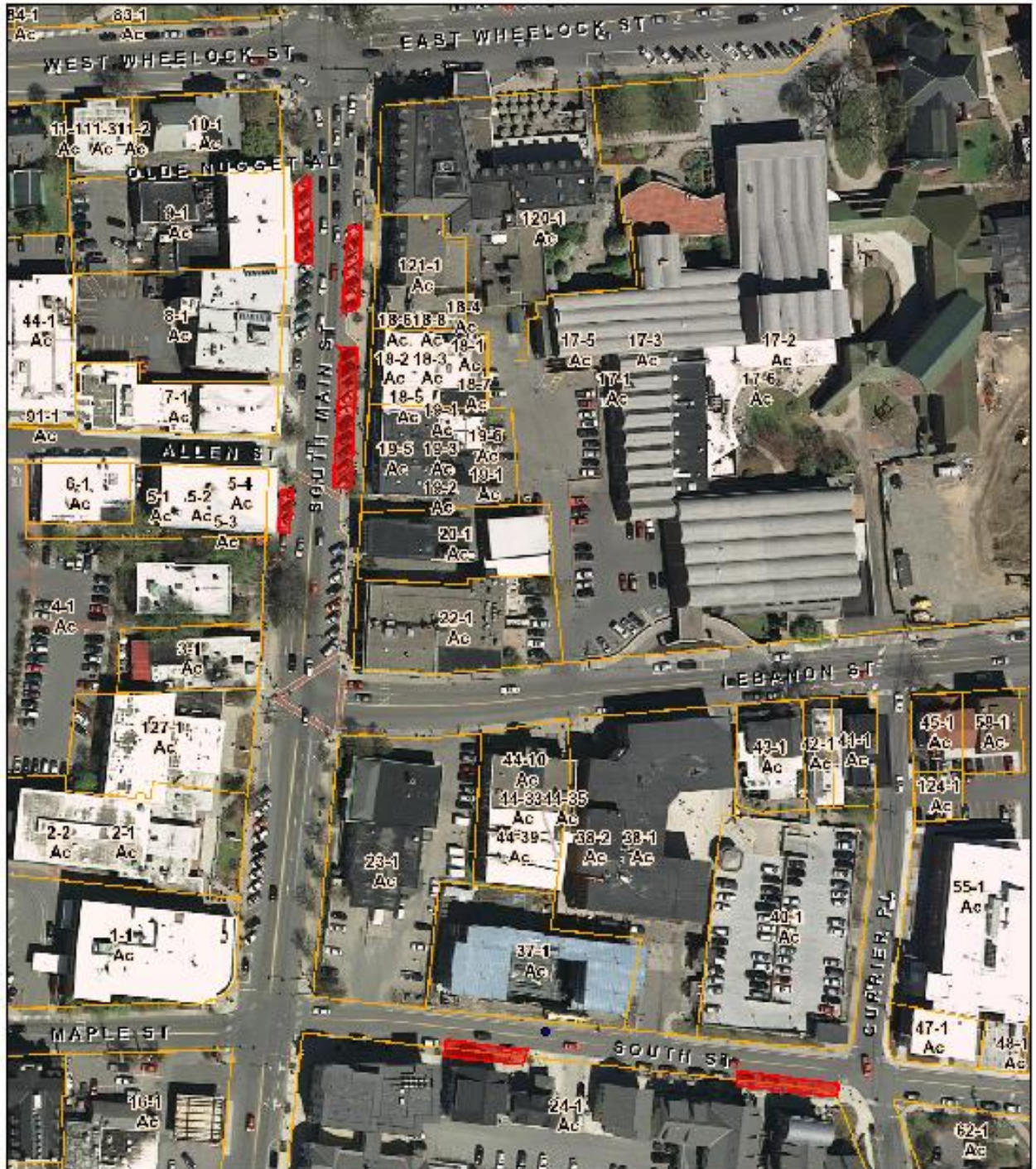
Hanover, NH



January 21, 2022

1 inch = 120 Feet

www.cai-tech.com



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