Article Seventeen: Purchase of the Hayes Property in Etna Village - Site of the Etna

Library - Utilizing Three Sources of Funds and Permanent Protection of 4.2 Acres of the

Property

The Etna Library (formally known as the Hanover Town Library) and the land directly under the

footprint of the building are owned by the Town of Hanover but the land surrounding the Library

building has long been owned by the Hayes family, along with the larger 1 1 .4 acre parcel that

includes the Hayes home, barns and pasture land. A deed restriction has been in place since the

Library was constructed requiring that the building be used for Library purposes only; should the

Town cease to use the building as a Library, the building and land upon which it sits would

revert to the owner of the larger Hayes parcel.

The Town has long held a desire to secure the property immediately surrounding the Hayes

property to gain ultimate control of the building itself and to enable construction of a safer

parking area immediately behind the building and to enable construction of a fully handicap

accessible entrance and restroom at the rear of the property. The current parking situation along

Etna Road is not safe and the building is not handicap accessible. During Mrs. Hayes life, the

Town inquired about her willingness to subdivide the parcel so that the Town could purchase the

land underneath and surrounding the Library for this purpose, but she was not interested in

pursuing that option.

Upon her death in 2009, Mrs. Hayes' daughters began discussions with the Town about the

potential for purchase of the bulk of the property as an opportunity to: 1) secure the land

immediately surrounding the Library for construction of the improvements outlined above; 2)

eliminate the deed restriction governing the "sole purpose" use of the building, even though there

is no intention to cease using the building for library purposes; 3) secure the pasture land for a

combination of future recreation use and conservation; and, 4) preserve the historic village farm

qualities of this lovely parcel. The Hayes' daughters were most open to discussing these

opportunities as a means of preserving the family farm they have known all their lives.

Discussions led to a decision to pursue subdivision of the farmhouse, barns and 2 acres of land so

that the home could be sold for what the family hopes will be preservation and renovation, and to

leave the remaining 9.4 acre parcel intact in the hopes that the Town could combine funding

sources to enable its purchase. That subdivision, which includes a requirement that the deed

restriction governing the use of the Etna Library be extinguished, was approved by the Planning

Board on April 6, 2010. The Hayes' sisters have offered to sell the 9.4 acre parcel to the Town

for $360,000.

Toward that end, Article Seventeen seeks permission of Town Meeting to purchase the property

and to utilize three different sources of funds for that purpose. If adopted, the Town hopes to

purchase the property on or about July 1, 2010. Specifically, the article:

• Seeks Town Meeting authorization to purchase the property.

• Seeks an appropriation of funds from the Town's Land and Capital Improvements Fund,

which is the accumulation of 50% of the proceeds from payment of the Land Use Change

Tax collected over the last several years. The purpose of this fund is for the purchase of

land and/or for construction of or improvements to Town-owned facilities. The most

recent large expenditure from this fund was used to help fund construction of the Richard

W. Black Community Center. A total of approximately $190,000 is available in the fund

and the Town proposes to appropriate the full amount to help purchase the Hayes

property.

• Seeks an appropriation of funds from the Town's Conservation Fund, which is the

accumulation of the remaining 50% of the proceeds from payment of the Land Use

Change Tax, is governed by the Conservation Commission. Expenditure of more than

$50,000 from the Conservation Fund requires approval by the Board of Selectmen and

Town Meeting, based on a Memorandum of Understanding executed between the Commission and the Board of Selectmen. Given that the upper 4.2 acres of the Hayes

property directly abuts the 12.9 acre Trescott Ridge Wetlands parcel which was set aside

as open space as part of the related residential subdivision constructed in that location

many years ago, the Town and Commission seek to conserve both tracts of land. Toward

that end, the Conservation Commission has agreed to provide funding in the amount of

$55,000 toward the purchase of the Hayes property.

• Seeks an appropriation of the $1 15,000 in remaining funds needed to acquire the Hayes'

property which will be raised through a Town-wide fundraising campaign. The hope is

to seek a lead donor for the purchase and to implement a brief fundraising campaign to

begin in mid-May if Town Meeting approves the purchase of the property.

Article Seventeen also seeks to permanently protect a 4.2 acre portion of the property. With the

active recreation and library related-uses envisioned for the area of the Hayes property closest to the road, the dedication of the back 4.2 acres for conservation and more passive recreation uses

nicely complements the more active uses being considered for the lower portion of the property.

This effort to provide passive recreational opportunities broadens the range of Hanover's outdoor

enthusiasts that will appreciate the Hayes property.

The back portion of the Hayes property abuts the Trescott Ridge Wetlands, given to the Town in

1971 at the same time adjoining lands were subdivided for house lots. Contiguity of open space

is beneficial for wildlife and for natural resources that do not follow property boundaries. The

Conservation Commission would like to add the back portion of the Hayes property to the

Town's system of open spaces to reinforce and provide a broader variety of habitat for the

Trescott Ridge Wetlands. The back portion of the Hayes property includes both forest and open

meadow. In addition, the property is featured in the 2000 Open Space Priorities Plan as a

location for a trail to increase the recreation opportunities in Etna Village. Indeed, with the

purchase of the Hayes property, a trail on Town-owned land can be created connecting the center

of Etna Village to the Trescott Ridge Wetlands.

Neither zoning nor ownership permanently protects conservation land. Consistent with the

recommendation in the Open Space Priorities Plan and the Master Plan that the town work with

a land trust to devise a conservation easement to permanently protect each Town-owned

conservation parcel, the Commission has begun work with the Hanover Conservation Council, a

local non-profit conservation organization founded in 1963. The Council will ensure that the use

limitations of agriculture, forestry, conservation and low impact recreation are permanently

respected. From a management point of view it is appropriate to protect this land at the same

time as the Trescott Ridge Wetlands property. The Conservation Commission, the Board of

Selectmen and the Hanover Conservation Council will jointly approve both the management plan

and the conservation easement prior to transferring the easement to the Council.

There will be additional costs involved in the completion of future improvements to both the

Etna Library building itself and in related infrastructure, including an access driveway, parking

lot to the rear of the building, and additional recreation amenities. Toward that end, the Town has

submitted a Letter of Intent to the New Hampshire Department of Resources and Economic

Development, Land and Water Conservation Fund Program, indicating an intention to apply for

up to $100,000 in matching funds in October of 2010 toward the construction of an access

driveway, small parking lot and pocket park immediately behind the Etna Library. The Town

must provide a one-for-one match for LWCF monies, but may use a soft match to do so. Soft

match can include Town labor and materials. The intention is to engage in a planning process

with the Etna community later this summer to refine a plan for improvements to the Etna Library

itself, parking, pocket park amenities and a potential playing field so that we may refine a formal

application for LWCF funds in October of 20 1 0, and then return to Town Meeting in May of

201 1 with a final plan for implementation. Additional fundraising will, no doubt, be needed to

implement specific improvements to the Library itself and for potential construction of a playing

field.

A map showing the Hayes property is attached as Appendix B.

The Board of Selectmen voted 5-0 to support this warrant article during the Pre-Town Meeting

public hearing held on April 5, 2010.