3. Objectives

It is one thing to describe what a Master Plan is and how it is to be used. It is quite another to make the Plan meaningful, - to set some goals that the citizenry supports. Throughout the Plan in each section there will be suggestions and observations aimed at three overall objectives:

A. Keep the character of the Town as it is;

B. Make the best use of our existing resources and assets;

C. Keep the tax payments and cost of services reasonable with respect to the need.

There are several other objectives which will not be addressed in the Plan since their accomplishment is not within the exclusive power of the community:

A. Change in state tax structure and allocations;

B. School Committee responsibilities;

C. Revision of state statutes.

L A N D U S E

OUTLINE

SECTION 11: LAND USE

11.1 HISTORY

For 250 years, the spot on the Connecticut River southeast of Mt. Ascutney and now known as Charlestown has seen many changes. Prior to these times, the Indians occupied the land and virtually changed nothing for centuries. Only the forces of nature brought change. The rivers teemed with fish; the forests with animals. There was no pollution. Indian peoples did not presume to "own" the land. It provided them with sustenance, and they lived upon it with respect. Then in that 250 years, the forces of western civilization turned the concept of common use of land to one of individual ownership.

11.2 WHO OWNS THE LAND?

Over the last generation, the American people have come to realize that land ownership does not entail a right to ruin it or to pollute the environment of neighbors near or far. Congress has enacted a number of laws to protect everyone's right to a healthy environment. These laws as they pertain to Charlestown regulate air pollution, water pollution, disposal of solid and toxic wastes, protection of flood plains, filling of wetlands, and use of pesticides. New Hampshire laws reinforce and implement many of these federal protections, and additionally prescribe forestry practices to safeguard soils and water, and hunting and fishing to safeguard wildlife.

Part of the reason for environmental laws has been to protect public health. Another part has been economic fairness. It is not considered fair for one person to bury toxic wastes that pollute groundwater and cause people who drink that water to pay the expense to water purification or medical care for toxic-caused diseases. Likewise it is not considered fair for one region to send acid pollutants into the air that fall on another region and cause fisheries, agriculture and forestry production to drop with corresponding drops in revenue.

New Hampshire laws have recognized that visual pollution can lower the value of nearby properties, and thus they empower communities to regulate the screening of junkyards, size and location of signs, operation of gravel pits and other matters that may affect neighboring property values.

Anyone who has been on the losing end of someone else's pollution recognizes the essential fairness of these laws.

"Who owns the land?" we ask. Some rights belong to everyone. Those who are landowners pursue their own interests in the context of their community responsibilities. The Indians never "owned" land. Indeed those of us called landowners are just using it until the next group comes along. We are stewards, so we use it wisely. We all have the opportunity to make the land a better place before we leave.

11.3 LAND USE CONTROL CONCEPTS

While all parts of a master plan are important, the most essential single element is the future land use plan. Land use planning is based on the belief that the use of land should respect its inherent physical capability, the pattern of existing uses, and the level of municipal services and facilities, as well as economic realities, private property rights and community needs. The purpose of land use planning--to encourage rational, economical and environmentally efficient use of land --has been deemed to be in the public interest; its promotion has been legally established as a public responsibility.

In practical terms land planning benefits the community in several ways. When the plan is founded on thorough knowledge of the development capability of the land and builds on existing services and facilities, municipal cost savings are possible. Orderly community growth permits more economical public investment in roads, water and sewer installations, schools and other necessary public facilities and simplifies public service and maintenance operations. Planning may conserve important resources and reduce public costs that result from pollution and environmental damage; it gives the community an objective and legally recognized foundation on which to base land use ordinances and regulations.

Each of us who lives in Charlestown is part of a community. We pool resources for police and fire protection, education of our children, roads and recreation and many other things. Our chief and most stable resource and asset is the land and our communal interest in it.

Land and its use is where all the action is and will be in Charlestown's development. Up until now, Charlestown has guided land use with a few basic tools:

* Subdivision Regulations that set standards for lots, roads, and utilities within subdivisions. They say nothing about where subdivisions should go or not go but establish criteria for determining how and when subdivision of land is to be conducted in the best interests of the Town.
* A rudimentary Zoning Ordinance that recognizes mixed uses for most of the Town. It restricts

development to five acre lots within the Watershed Zone, recognizes the commercial nature of Main Street and the residential nature of the Town center area. This is the only regulatory land use control.

* A Building Code for Flood-Hazard Areas, and Building Code for the rest of Town.

It is the intent of the Master Plan to establish good criteria for land use based on the natural development process recognizing:

A. Existing development trends

B. Availability of roads and utilities

C. Soil conditions

D. Terrain limitations

E. Natural features

It is not the intent of the Master Plan to establish arbitrary boundaries to dictate land use.

Should segments of people in the community wish to establish restricted uses of certain areas such as industrial, commercial or residential, a petition to establish zones can call for a Town vote in these matters. (See Section 13.4.2.4) Regulation of uses, however, cannot fulfill all of the land management needs of the municipality. Since regulations and ordinances can be amended or abolished by public vote, permanent land use control cannot be assured by using these methods. Land ownership and the ability of specify land use through leases, easements and deed restrictions are methods the community can use to preserve open space, limit development and/or allocate specific uses to particular land parcels. Although these techniques can be expensive, they provide the only sure means of land management available to the municipality.

They are:

1. Outright Public Purchase of Land

The most direct method of land use management is the actual purchase of land by a governmental body or non-profit organization. This can be done by:

a. Purchase and lease back. The municipality, possibly through an advisory public lands committee, can purchase critical parcels of land and/or buildings then, in turn, lease the property back to the existing or new owner(s) with the use of the land clearly described in the lease agreement.

b. Purchase and resale. A community may purchase land then resell it for specific purposes specified in the deed(s). This guarantees its use and

returns the land to local tax rolls. This procedure is sometimes referred to as land banking since present day investments are made for long term community benefits. If larger land areas are purchased, the growth of the community can be substantially controlled through careful sale or lease with restrictions and/or reverter clauses.

c. Purchase for permanent public use. Land may be acquired for public purposes either through acquisition or donation. RSA 31:15 allows the municipality to acquire and manage land as a Town Forest. This purpose may receive greater emphasis as energy sources become limited in future years.

d. Agricultural land development right purchase. As provided in RSA 36-D:1-14 the State of New Hampshire can assist municipalities in acquiring the development rights on agricultural land.

2. Donation of Land

The local Conservation Commission as set forth in RSA 36-A is authorized to accept gifts of land on behalf of the community and manage these land parcels for conservation purposes.

3. Eminent Domain

Under RSA 31:92 (and other statutes) municipalities are authorized to acquire any land required for public purposes such as building sites for public structures, utility, street and highway rights-of-way, public playgrounds and other needs in the public interest. A community may desire as a preemptive step to acquire key parcels identified in a master plan prior to the expansion of development into the specific area. This technique may be used as a last resort if landowner negotiations do not result in a transaction agreement.

4. Foreclosure

Municipalities may retain lands acquired for back taxes upon a vote of the Town Meeting or City Council as provided in RSA 80:42. If the land is suitable for conservation purposes, these parcels can be valuable additions to the publicly held system of conservation/recreation lands.

11.4 DEVELOPMENT CRITERIA

If we go back to Section 1.2.1 dealing with the questionaire that was answered in 1980 we find some good guide lines for establishing development criteria. It is, or course, easy to say all those things but difficult and sometimes expensive to accomplish. There are certain factors to consider.

11.4.1 EXISTING TRENDS

There are obviously two centers of population in Charlestown. Section 8. shows that north Charlestown is growing faster than Charlestown center. The influence of industrial and commercial facilities in Springfield, VT and Claremont, NH will continue to affect the north end of Town. Road access and utilities are limiting factors. Map Fig. 11-1 "Development Trends" shows the general areas of the types of development that is happening in the Town while Map Fig. 11-2 "Existing Land Use" shows specific uses in more detail. Since these trends are natural they are significant.

11.4.2 AVAILABILITY OF UTILITIES

It has been shown that the existance of utilities such as roads, sewer and water encourage development. Therefore installation of additional utilities into an area will promote growth in that location. Map Fig. 11-3 shows the areas now covered by municipal water and sewer lines with potential expansion. The limitations of these systems are discussed in Section 9. Areas proposed for development on roads that are below subdivision standards should be delayed until the more widely used substandard existing roads are improved. Subdividers or developers should be allowed to proceed if they pay the added cost of upgrading the substandard road accessing the area.

11.4.3 SOIL CONDITIONS

The U.S. Department of Agriculture Soil Conservation Service (SCS) has provided significant assistance in the recent mapping of soil characteristics in Charlestown. On-site investigation has complemented aerial mapping of the entire town to identify the various soil types. There are over 100 different soils and they each have characteristics that influence the use of the land. The paragraph on Agriculture (11.5) below explains how soil classification is used in determining the best agricultural land. SCS has also developed criteria to help the Town use soils as one criteria for industrial-commercial development and residential development. Maps have been prepared by SCS in color showing these potential development areas as well as maps delineating important agricultural areas, wetlands, soils subject to flooding, slopes and a general soil condition map of the Town.

These maps are prepared in such detail as to allow the Town to advise potential developers of soil conditions and assess the impact on the Town if development is proposed in a particular area.

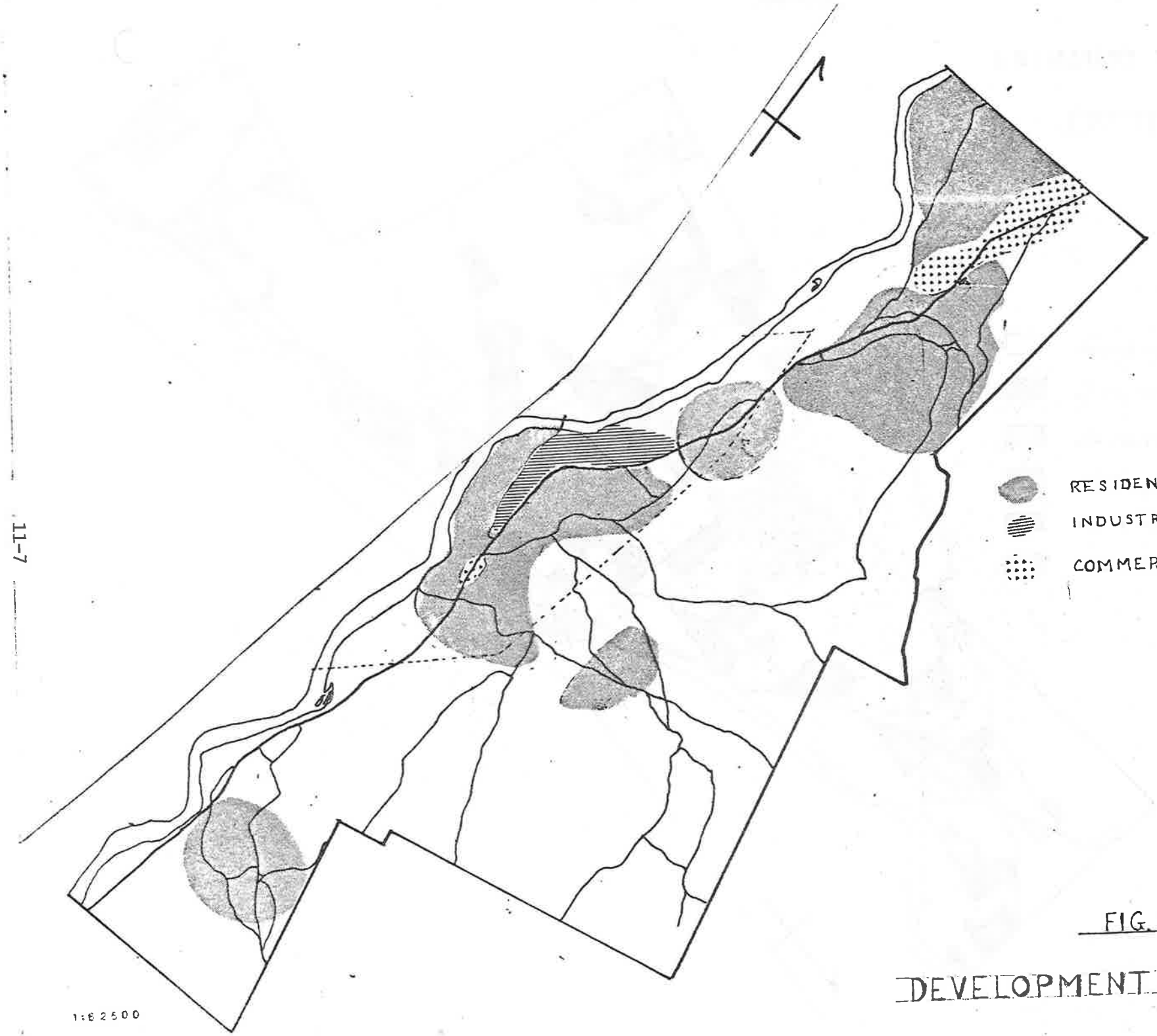


FIG. 11 - 1

DEVELOPMENT TRENDS

FIG. 11-2

EXISTING LAND USE

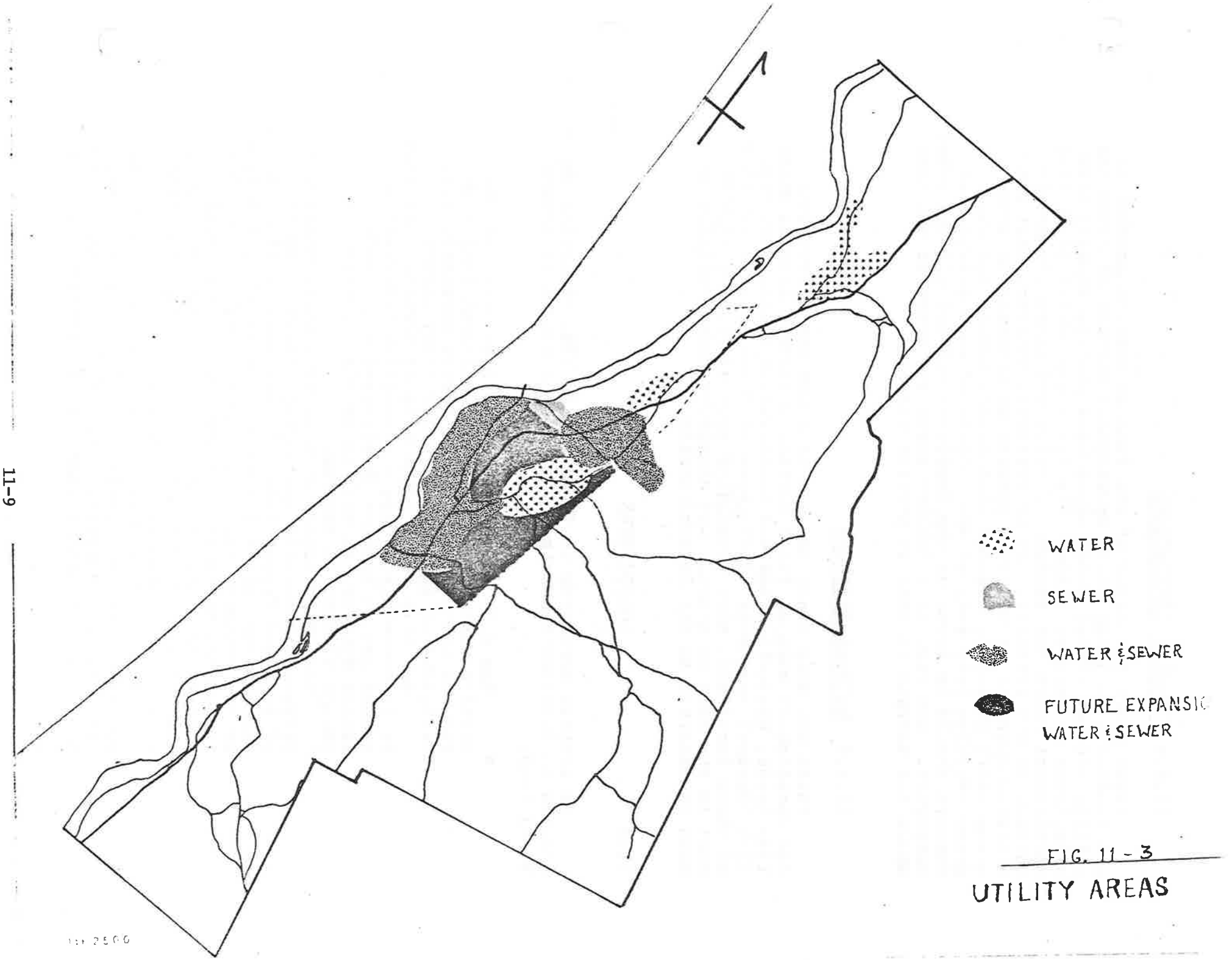


FIG. 11 - 3

UTILITY AREAS

11.4.4 TERRAIN LIMITATIONS

Areas where the slope of the land is over 15 percent is not conducive to large scale development because of roads and utility access. Often these areas have shallow topsoil with underlying or exposed ledge. The areas are suited to limited development where the expense of wells and extensive septic systems is not critical. It is critical, however, that subdivision approval or building permits be withheld in these areas until it can be assured that school busses and emergency vehicles have easy access. Costs of such development support should be borne by the developer and not all the other taxpayers. Map Fig. 11-4 "Hills" shows the areas of the town where the terrain is over 15 percent slope.

11.4.5 NATURAL FEATURES

There are many areas in Town that are not appropriate for development such as flood plains, wetlands, special wildlife areas, historic sites and conservation areas. Map Fig. 11-5 "Natural Resources" shows some of these locations. Most of these locations, when identified accurately, are significant to the Town as a whole and should be made available as much as possible to the general public.

11.5 AGRICULTURE

As article appearing in "Momentum in 1981 regarding the squeeze on Farmland summarized the current plight of agricultural land.

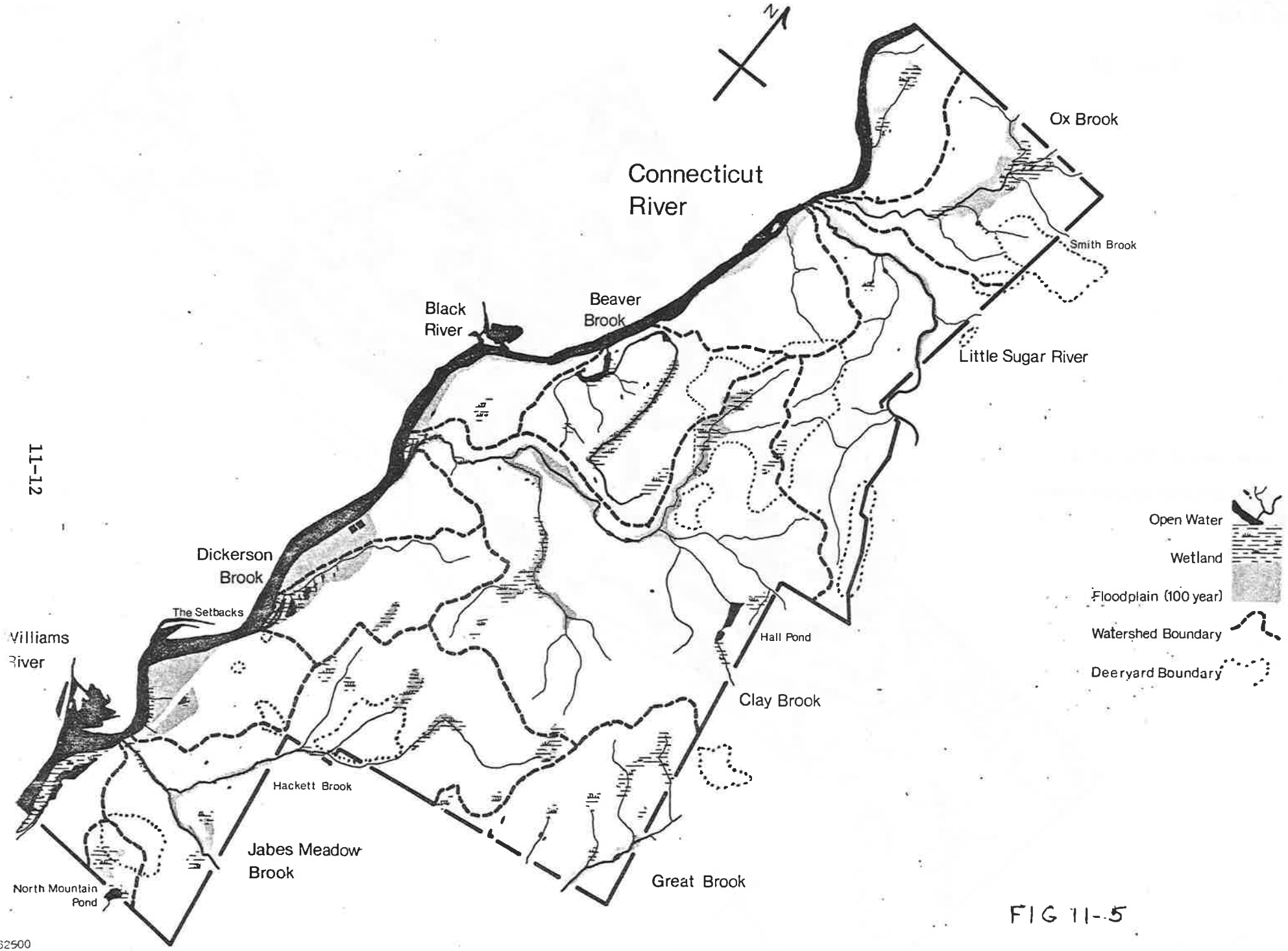
> " 'The U.S. is losing one million acres of the world's best and flattest agricultural land each year to urban sprawl,' said Robert Bergland, U.S. Secretary of Agriculture under Jimmy Carter.
>
> And this rapid conversion of agricultural land is irreversible. Once a productive cornfield is turned into a housing development with roads and septic systems, it will be nearly impossible to change it back to farming.
>
> Now, many people with diverse backgrounds and different interests are paying attention to the loss of farm and forest land. It may spell serious trouble for the United States and the world by the turn of the century, they say. As our adult population increases, there is a greater demand for farmland both to feed and to house people. Since good farmland is also good housing land, two opposite pressures are exerted on the same land.
>
> This conflict has been substantiated and discussed at several levels by studies and hearings, research and analyses. Most of the experts who are studying agriculture land come to similar conclusions:

FIG 11-4

HILLS

:62500

ser



11-12

62500

FIG 11-5

NATURAL RESOURCES

the reserve of land suitable for crops, forests, pasture and range is diminishing rapidly. It's because the soil qualities, flatness of the land, and the climate which contribute to ideal farming conditions are the same that make development easy and profitable. It is no wonder, then, that developers want to buy farmers' property, and because developers can offer high prices for the land, it's no wonder that owners of good farmland want to sell to developers.

A national hearing on the Connecticut River Valley was conducted in Hanover in July 1980, by Congressman Daniel K. Akaka from Hawaii. As acting chairman of the Subcommittee on Family Farms, Rural Development and Special Studies, he heard people testify that the family farm is considered the backbone of Vermont and New Hampshire's agriculture. In fact, 93 percent of the farms in New Hampshire are family owned and average 164 acres. He heard how dependent New England is on outside food production (only 15 percent of all feed consumed in New Hampshire, for example, is produced in the state.)

People testified that there was a great deal of activity in both the private and public sectors to try to bring agricultural production, marketing, development and other land uses into balance.

Akaka also heard that the states of New Hampshire and Massachusetts have allocated funds to purchase the development rights of some prime farmland. When development rights are removed from the land, it cannot be sold for any kind of development. Its value as a commodity on the open market goes down, and its price is reduced, too. This can help farmers buy land for production and help them afford the taxes which are lowered with the reduced evaluation.

The main theme of the hearing before Akaka was that in order to keep family farms in production there must be adequate marketing; there must be encouragement for the small farmer, and there must be some way to keep good farmland reserved for agriculture.

They found that agriculture, though not a major use of the area's land, was a stable and integral part of the economic and ecological balance of the valley. In addition, they found that development pressures from the Upper Valley are intense and are likely to increase, representing a threat to continued agricultural land use.

With all of these studies identifying similar problems, people have begun to look for different kinds of solutions.

One was looked at last year in a federal study of organic farming. The U.S. Department of Agriculture spent a year studying the relevance of organic methods of agribusiness. In a report pub-

lished in 1980, the study team says that it discovered that the use of chemical fertilizers, pesticides and heavy equipment adds tremendously to soil erosion, while organic methods are economical at any scale, from small hobby farms to very large commercial enterprises.

They also learned that, although the intensive and highly mechanized agriculture methods used today in the Midwest and West have increased production and labor efficiency, they have decreased energy efficiency. Organic methods conserve energy.

Organic farming, the study concluded, might turn the negative effects of large commercial agribusiness around by reducing soil erosion, by increasing the tilth of the soil, and by using energy more efficiently.

The country's agricultural picture is very complex. Some of the complexity ties in with technological advances in farming itself. Some involves the marketing systems and the way produce is transported from the farmer to the consumer. And some involves nutrition.

Issues which keep springing up over and over relate to questions of values: values of small versus large, the direction of technology, and the questions of quantity versus quality. The issues touch us all; yet, we may not even notice them.

For example, a former USDA official said, 'We lose a million acres of prime land a year, but we lose it in 40 years, or 160 acres or 400 acres at a time. A subdivision may take 20 acres, a highway interchange 160 acres, a new strip mine 640. Taken individually, each loss is too insignificant to worry about.' And according to one Kansas farmer: 'A little bit of this land is leaving us everyday. It is being chipped away silently and nobody sees it.'"

11.5.1 LAND EVALUATION AND SITE ASSESSMENT - LESA

Agricultural land protection policy is not a "no-growth" policy. It is a policy that supports urban growth in a compact, efficient pattern, conserving both agricultural and urban resources. Determining which agricultural land to protect and under what conditions involves important, difficult decisions.

Over the past two years, the Soil Conservation Service (SCS) has tested the agricultural Land Evaluation and Site Assessment (LESA) system, which shows promise for helping state and local officials make sound decisions about land use. LESA was designed in response to requests from SCS district conservationists and Cooperative Extension Service personnel in a number of states. These people's work with state and local planners on agricultural land protection indicated a need for a technically sound tool to evaluate land at the local level and to determine the conditions that justify conver-

sion of agricultural land to other uses. Planners found it difficult to judge whether prime, highly productive farmland near urban areas should be protected and under what conditions such farmland should not be protected.

LESA has now been tested in 12 counties in six states: Washington, Maryland, Pennsylvania, Illinois, Virginia, and Florida.

Local officials coordinate the LESA process. In Charlestown, a committee was appointed to assist in making decisions. The membership was drawn from farmers, planners and SCS.

The LESA process consists of two parts. The first part evaluates soil quality, determines the relative value of soils in the area, and classifies the soils by their suitability for agricultural use. Data for this evaluation came from soil survey information and was awarded 200 points in the evaluation process.

The second part of LESA considers other factors that influence decisions on agricultural land conversion. The criteria developed by the LESA committee addressed the following topics to be considered for evaluation with the highest points awarded for the reasons for keeping the site in agriculture:

	Points
1. Physical characteristics of the site	28
2. Quality of the form	24
3. Environmental factors(impact)	10
4. Impact on associated agricultural community	8
5. No Town water near site	8
6. No Town sewer near site	6
7. Availibility of now agricultural land	6
8. Scenic quality	4
9. Cultural (historic site, etc.) impact	3
10. Availibility of roads	3
Total	100

Soil quality then has 200 points and the other criteria 100 points for a total of 300 points. The criteria is not proposed as a zoning guide line but as a tool to pre-establish the value of any specific farm to the community. The State representative to the committee has prepared a report which summarizes the results of the effort.

11.5.2 METHODS FOR PROTECTING AGRICULTURAL LAND

There are numerous schemes for protecting agricultural land. Some have been tested by economics, some by the courts. Each case, it seems, is a unique application. None are cheap. It all boils down to how much does a community want to pay to protect this asset. Do we as a Town think that the future will make us wish we had taken these steps now? Common sense should suggest that food is a commodity worth planning for. There are some methods to consider in addition to the state's agricultural land development right purchase mentioned in paragraph 11.3 above. (Taken from Cooperative Extension Services, UNH)

1. Current Use Taxation and Discretionary Easements

RSA 79-A provides for the taxation of open space land at an assessed valuation that is commensurate with its present use. Taxation standards are developed for floodplains, horticultural, forage, pasture, forests, wildland, wetland and recreation land. Charlestown currently (1982) has some 12,000 acres in current use.

2. Development on Lots Served by Utilities

The subdivision regulation of a municipality may require all future construction to be on a municipal sewer line and municipal water line.

3. Conservation Zoning

A zoning ordinance to restrict building on floodplains, steep slopes (above 15 percent), along streambanks, on wetlands and at higher elevations. Agricultural uses are permitted.

4. Voluntary Conservation

Landowners are invited to sign agreements with the town with the following stipulations: (1) all their land in designated areas (floodplains, wetlands, steep slopes, streambanks, higher elevations and prime wildlife habitats) is placed in a conservation zone, (2) the town conservation commission is given permission to use the land in its pedestrian trail network and (3) the land placed in the zone will be appraised for tax purposes at a low nominal rate which reflects its limited use.

5. Clustering

Allows land to be kept in agricultural use by requiring all buildings to be clustered on a specified minimum acreage of the development.

6. Scenic Easements

Scenic easements consist of the purchase of development rights at strategic locations to protect vistas.

7. Agricultural Zoning

Can only be used effectively if it is associated with a professional tax appraisal system to assure that land is appraised for its legal zoned uses - not for more intensive uses.

8. Compensable Regulations

Limits the use of land to open space uses, but also compensates the owner for any drop in value attributable to the regulations.

9. Floodplain Zoning

Protecting agricultural land through floodplain zoning.

10. Public Purchase - Restricting and Resale

Land may be protected from nonagricultural demand forces by public purchase in fee simple. After purchase, the government agency may restrict land use to agriculture and then sell the land on the open market for the permitted uses, i.e. farming.

11. The Private Land Trust

The land trust is a private counterpart to the state land corporation. It consists of a private nonprofit corporation whose objective is to hold land in its open and natural state.

12. The State Land Trust

Set up by the state legislature to receive development rights donated to them on specified categories of land. (See 11.3 above and RSA 36-D: 1-14)

11.5.3 CHARLESTOWN'S AGRICULTURAL LAND

As one drives into Charlestown from the south, the first view of the Town is of the rich expanse of farmland curving along the Connecticut River. From the north, too, whether it is the farms along River Road or on Route #12, much of Charlestown's attractiveness comes from its farms. Of the Town's 24,000 acres, 1,674 acres today are farmed, either for crops, orchard, or pasture.

Over the last thirty years, development has gradually encroached on farm lands in Charlestown, as real estate prices have outbid agricultural revenues. A quarter of the Town's farmland has disappeared in that time.

The predicament of farming in Charlestown is a mirror of the predicament of small farmers throughout New Hampshire.

Elements include: markets that favor products shipped through national distribution channels rather than local produce; real estate pressures from the urban to rural migration on land values; the need to borrow capital for annual plantings; high interest rates and declining price supports from Washington.

Despite the short-term problems facing small farmers in Charlestown and elsewhere in New Hampshire, in the longer run the lands' ability to produce food is going to be increasingly important. There are a number of reasons for this eventual increase in land value for food production:

* Population growth is widening the demand for American agricultural products;

* Midwest farmers currently are irrigating to increase their yields, but that irrigation is depleting underground water supplies. If present rate of irrigation continue in the Great Plains, a 5 million acre area, equal in size to Massachusetts, will dry up by the year 2020;

* Intensive cultivation is depleting fertile topsoil at a rate greater than during the Dust Bowl of the 1930s. Currently, for example, 40,000 tons of topsoil wash into the Mississippi River every hour;

* The inevitable rise in cost for fossil fuels will reduce the price advantage of crops transported long distances, and make it more economical to buy local produce.

All of these trends point to the wisdom of safeguarding our local agricultural lands so that they will still be available when we truly need them.

Geography has given Charlestown a significant asset in the Town's length along the Connecticut River with its high quality Connecticut Valley agricultural soils.

Safeguarding agricultural lands is an important way by which the Town can carry out the objectives of the Master Plan. Doing so will serve to keep the character of the Town as it is, will make the best use of our resource of agricultural soils, and will prevent development that could be a drain on town revenues.

11.5.3.1 What can be done -- by farmers?

The Extension Service, in its advice to Sullivan County farmers, emphasizes the importance of maintaining diversity in produce to take best advantage of the land, the seasons, and the markets. According to the Extension Service, several areas of crop diversification offer advantages to local farmers:

* Sheep are returning to New Hampshire farms. Not only is their meat a good seller, but also wool is increasingly bought as a durable and warm clothing material.

* Berries -- raspberries, blueberries, strawberries -- have excellent markets in nearby towns and cities, as well as appeal to pick-your-own direct marketing.

* Asparagus is well-suited to well-drained sandy soils of the River valley. It provides a good cash return, and once the plants are set, they will last 20 to 50 years. Pickers are needed at harvest time.

* Greenhouses offer an excellent potential for producing quality crops like tomatoes, lettuce and broccoli off season, as well as producing flowers and bedding plants for local gardeners. Most of the work in greenhouses is done in a farmer's quiet season, when snow is on the ground. Now polythelene structures are a relatively economical investment.

* Roadside stands provide the advantage to the farmer of cutting out middlemen markups. For the consumer, they provide fresher produce. They have to be located in areas where the traffic pattern can be accomodated. It is interesting to note that farmers' markets have not done very well in the region because there have not been enough vegetable producers and because they have been taken over by arts and crafts. If vegetable production increases, however, they could do well.

All of these suggestions have been developed on the basis of research and analysis by New Hampshire agricultural economists. The Extension Service will work with individual farmers in making the kind of detailed analysis that is necessary to determine the best options for each individual situation.

11.5.3.2 What Can Be Done -- By the Community?

If the people of Charlestown are serious about retaining the agricultural character of the community, then the community must take steps, in its land use, taxation, and economic development policies to support farms and farming. It must be understood that without such a partnership, the current economic predicament of small family farms plus inevitable real estate pressures will doom much of the farmland Charlestown now enjoys.

A number of options deserve discussion for Charlestown, and the most pertinent should be adopted:

1. Assess productive farmland at the lowest range of the current use assessment scale provided by the State. Each

Year the New Hampshire Current Use Board provides a range of values, within which towns can assess the various categories of current use lands. For example, the range of values in 1982 were for forage lands, for pasture lands, and for horticultural lands. On 100 acres of forage land, the difference between high and low assessments would be

2. Encourage farm equipment or feed stores to locate in Charlestown as part of the agenda of the Industrial Development Committee. Charlestown's determination to retain its agricultural base is a strong selling point. (See Section 5 for further discussion).

3. Town take first option on sale if farmland comes on the market. The purpose of taking first option would be to locate a buyer willing to keep the land in agriculture.

4. Town instruct our state legislators that it is in the best interest of Charlestown for the Legislature to provide funds for the State program of acquiring development rights on farms. Development rights are the difference in value between developed and undeveloped land. New Hampshire, like a number of other states, enacted a law in 1979 to establish a fund and a review board to evaluate applications for development rights purchase. Farmers under this program were able to realize their retirement income from their farmland without having to sell it to developers to do so. The State gained the assurance that its best agricultural lands would remain in production. Because of budget pressures, the Legislature dropped funding for the program in 1981 and 1983.

5. Establish a local land trust to buy farmland that comes on the market and provide its continued use for agriculture. Land trusts offer a way for a group of people with a common purpose to provide stewardship for the land. Its a middle ground between preservation and development in that it provides for a certain amount of development in harmony with the land and for covanents that ensure farming on the major portion of the site. At least eight New England communities, including Wilton, New Hampshire, have land trusts which have removed valuable farmlands from the speculative market and ensured the continuation of farming on the site.

6. Permit limited, high value development on small portion of a farm in exchange for covanents to retain the remainder for agricultural use only. Such a land use policy would result in the loss of some agricultural land, but it would preserve the remainder of each tract for farming. Additionally, the developed portion would bring the Town the benefit of high assessments. (See Sec. 13. for further discussion of this topic). The Mal Tool

plant on River Road provides an example. Not only is farmland kept in production, but employees have the added attraction of working in natural surroundings.

The six recommendations outlined above can be enacted singley or all together, as they are mutually supportive measures. It is important for the Charlestown community to recognize that its farmlands are vulnerable to development pressures and that community action is needed to safeguard them.

11.6 RESIDENTIAL DEVELOPMENT

Section 8. discusses the numbers of residences in Charlestown with projections to the year 2000. Section 13 explains the valuation and amount of taxes currently paid by homeowners explaining the relationship with the tax base of the Town. This section will deal with the use of the land for residential purposes and elaborate on the criteria shown in Section 11.4 for that use.

Residential development is expanding into areas not now served by utilities so that each home requires a separate water and septic system. As long as lot sizes exceed two acres, this situation is acceptable and places no further burden on existing public utility systems. Should the Town wish to encourage high value development, it is appropriate to extend the utility systems into those potential areas as Map Fig. 11-3 demonstrates. It is not practical to extend the sewer system into the north Charlestown area in the forseeable future.

High value development can also be encouraged in outlying areas not served by municipal sewer and water but there must be a Town approved plan for upgrading roads to invite such expansion. Town subdivision regulations stipulate that when a subdivision requires undue expenditures by the Town to improve existing streets to conform to minimum requirements, (established in section 4.13 of the regulations) the Planning Board may disapprove such subdivision until the Selectmen verify that funds for improvement have been assured. Section 9 explains that the Town owns and maintains 66 miles of road. Thirteen miles of these roads are unpaved and below minimum standards. Of the remaining 53 miles of paved roads about 12 miles require major reconstruction similar to that done on East and West St. which cost, in 1980, some $50,000 per mile. It should be recognized, then, that about one quarter of the existing paved roads require reconstruction at a total of $600,000. These existing paved roads, of course, should be redone before additional unpaved roads are opened for development.

In 1982 there were approximately 200 subdivided lots available as building sites without further subdivision. Of

these, only about 60 are on adequate paved roads or in areas that would induce the $70,000 home valuation sought in Section 8 to assist in raising the tax base.

It is apparent then, that attention should be given to encouraging development into areas where utilities are accessable, where road upgrading costs will benefit the largest concentration of users, where soil conditions are appropriate, where there is minimal impact on agricultural land, and the area will attract homes of higher value or mobile home parks reserved for senior citizens.

When residential development (any subdivision) is proposed in areas not meeting these criteria, the developer should pay a higher proportionate share of the cost of expanding town services. Accordingly Map Fig. 11-6 shows the Town divided into four development areas and Table 11-1 is a table of area development cost ratios.

The four areas are selected on the basis of existing availability of utilities, adequate roads and development trends. They are defined as follows:

Area I All built-up area in Charlestown bounded on the north by Lovers Lane and Michael Ave., on the east by New England Power Co. right-of-way, on the south by Paris Ave and Lower Landing Road and on the west by the Conn. River.

Area II The north Charlestown area bounded on the north by the Claremont town line, on the east by the Unity town line to its intersection with the Little Sugar River, on the south by the Little Sugar River and on the west by the Conn. River.

Area III The area between the villages of north and central Charlestown bounded on the north by the Little Sugar River, on the east by the New England Power Co. right-of-way on the south by Michael Ave. Old Claremont Rd. and Lovers Lane and on the west by the Conn. River.

Area IV All other area of the Town of Charlestown.

The point rating system of Table 11-1 is established on a scale of 0 to 10 with 10 representing a high cost per (total Town) capita to develop and/or maintain the item and 0 representing a low cost. Points are pre-established by area for each item in Column (2) to demonstrate the overall relative per capita cost of new development in each area. The actual site to be evaluated is given points in a separate column (3) and averaged with the area points to determine an appropriate cost sharing formula for the developer and the Town.

Two examples serve to illustrate:

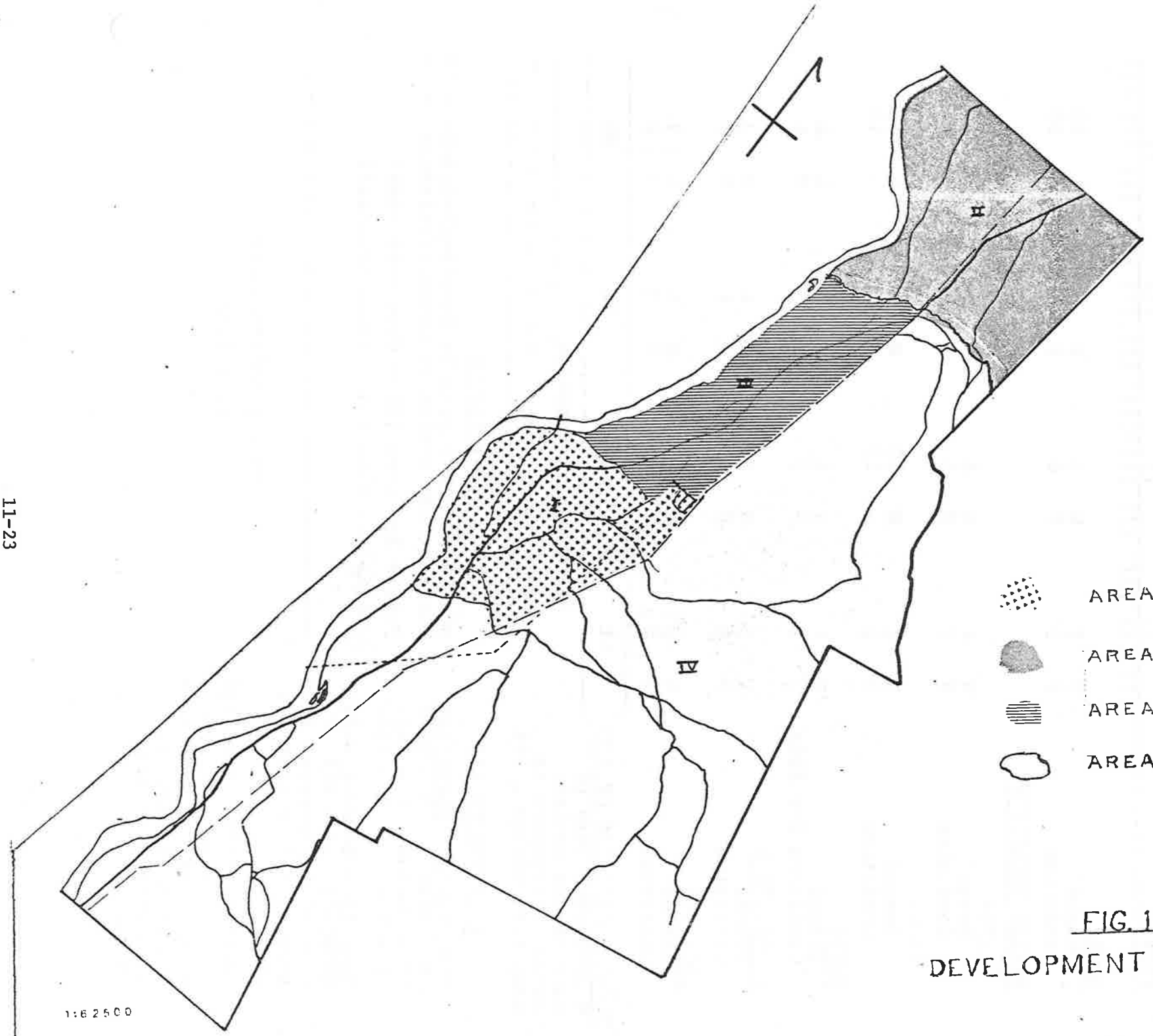


FIG. 11-6

DEVELOPMENT AREAS

AREA DEVELOPMENT COST RATIOS
1980's

ITEM	AREAS I (1)	I (2)	I (3)	II (1)	II (2)	II (3)	III (1)	III (2)	III (3)	IV (1)	IV (2)	IV (3)
ROADS												
Demand	H	2		M	3		M	8		L	10	
Condition	F	3		F	6		P	8		P	10	
PUBLIC UTILITIES												
WATER												
Demand	H	4		M	8		M	8		L	10	
Condition	F	7		F	5		P	5		-	10	
SEWER												
Demand	H	1		M	10		M	10		L	10	
Condition	G	1		-	10		-	10		-	10	
SOILS												
Demand	H	4		H	6		M	6		L	8	
Condition for Bldg	G	1		G	2		G	3		F	4	
AGRICULTURE												
Demand	L	8		H	4		H	4		M	3	
Condition	F	6		G	4		G	4		G	2	
LOCATION												
Demand	H	2		M	5		M	5		L	7	
Condition	F	2		G	5		G	3		G	6	
TOTAL POINTS OUT OF 120		41			68			74			90	

% Developer pays of cost of any anticipated improvement in area I.E. 90/120 = 75%

Required Improvements _____

MEASUREMENTS (1)

Use Demand	Condition
H - High	G - Good
M - Medium	F - Fair
L - Low	P - Poor

Example - General Rule; Developer pays 41% of cost of improvement in Area I, 68% in Area II, etc.

Specific Site Points (3) are averaged with area site points to determine actual % of cost. i.e. 41 + 25/2 = 33/120 = 27.5%.

POINT VALUES

High Cost Per Capita To Develop/Maintain - 10
Low Cost Per Capita To Develop/Maintain - 0

Points For Area (2) - (See next page)

Points For Site (3) - (When proposed)

SITE IDENTIFICATION

TABLE 11-1

SITE IDENTIFICATION

TABLE 11-1

(Continued)

AREA DEVELOPMENT COST RATIO - (Cont.)

Points are established on the following basis:

Roads

Demand - As use increases, cost to develop/maintain increases on inadequate roads. I.E. if area IV were to have no increase in use, cost ratio would be "0".

Condition - Roads in poor condition cost more to develop/maintain than good roads. I.E. if Area I roads were all good, cost ratio would be "0".

Public Utilities

Demand - As use of water and sewer increases, funds should be set aside to pay for expension of service. If such service were demanded in Area II, cost would be high.

Condition - Sewer system in Area I is good and can accomodate more development with little added cost. But to provide such service in any other area is expensive.

Soils

Demand - Increased use in built up areas requires more drainage systems but increased use in outlying areas also increases need for sewer and water systems.

Condition - Area I soils are good for building construction except for some flood prone areas. Area IV has large ledge and wetland areas requiring more cost for drainage, roads and wetland protection.

Agriculture

Demand - Land converted to development increases costs of services over agricultural use, makes protecting agricultural land more expensive. It is more costly to retain agricultural land in Area I than in Area IV.

Condition - The more extensive and higher quality farms are in outlying areas. They are more productive, have less pressure to sell and are less costly to preserve.

AREA DEVELOPMENT COST RATIO - (Cont.)

Points are established on the following basis: (cont.)

Location

Demand - Development trends show higher demand in Area I but such increase is not as costly as in more remote areas where services are more scarce.

Condition - Area I is more conducive to attracting higher value property because of proximity to services so that overall cost impact tends to be lower.

1. Area IV has proposed a 10 lot subdivision. The site requires extensive access road work (20 points), no Town water or sewer (0 points), drainage to protect wetlands (8 points), some land taken out of agriculture (0 points) and general increase in protective services plus bussing (10 points). This total then of 38 points is averaged with 90 area points, 128/2 = 64 and divided by 120 to give 53.3% of cost of any required improvement to be levied at time of subdivision on the developer.

2. Area I has a proposed 2 lot subdivision. The site requires no access road work (0 points), town sewer and water connection (9 points), no impact on drainage or agriculture (0 points) and minimal increase in protective services or bussing (2 points). Total 11 points added to 41 and averaged gives 26 divided by 120 or 19.2% paid by subdivider for any required improvement at time of subdivision.

As a general incentive, then, to keep Town costs down, a developer proposing a well designed subdivision in a low impact area with little demand for Town services would pay only a small percent of required improvements. In this way, land is used appropriately commensurate with protecting resources and available services. The same cost allocation ratio can be applied to improvements required by any existing subdivision.

11.7 COMMERCIAL DEVELOPMENT

It has been stated in Section 11.3 that it is not the intent of the Master Plan to establish arbitrary boundaries on the use of land. Commercial properties should be encouraged to locate where they will be most beneficial to the community as a whole and to the particular surrounding area. The Site Plan Review process exercised by the Planning Board gives ample opportunity for public input to any proposed commercial development. The neighbors set the appropriate criteria for establishing such facilities. Financial impact on the Town and apportionment of costs can be established by the same formula as demonstrated in Section 11.6.

11.8 INDUSTRIAL DEVELOPMENT

The need to encourage appropriate industries into Charlestown for jobs and tax base has been stated in Sections 5 and 13. The wise use of the land for this purpose requires that many factors be considered. Industry generally requires special facilities that are most economically provided in a central location. It has been shown in many towns that well-planned industrial parks established with strict siting criteria encourage compatable development. It is beneficial to locate

such parks and zone the area to insure protection of the developer's investment. In addition, rail heads, three phase power, water and sewer are all necessary support items. Good soils, no steep slopes, good drainage and surrounding land are necessary natural features. Size of area should exceed twenty-five acres.

There are five areas in Town that generally meet these criteria. They are shown on Map Fig. 11-7. Of course, other areas might be considered depending on land availability, construction costs and access.

It is recommended that the Industrial Development Committee suggested in Sect. 5 investigate the feasibility of each of these sites (and any other) and start action to develop such an area. Again allocation of costs, if in the best interests of the Town, can be established by the formula shown in Section 11.6.

11.9 IS DEVELOPMENT ASSESSMENT APPROPRIATE?

The above proposal to assess developers a share of the upgrading costs has been upheld in cases before the N.H. Supreme Court. While it may seem punative, there are several good arguments to support the action.

1. A general pattern exists in outlying wooded areas where large tracts are sold and logging operations harvest the timber, extending farm and logging roads to make more land accessable. Almost all of this work is done at no expense to the taxpayer. Many of the old remote Town roads, in fact, revert to a Class VI status through lack of use and the Town incurs no maintenance expense on these. The cost of these roads then is paid for by the user.

2. Eventually the cleared or logged off land is sold into smaller lots and owners either put up with the substandard roads or make their own improvements because, again, they are the primary users.

3. These improvements, of course, invite more use and the entire community starts to become involved to the point where it must start sharing in costs of improvements and maintenance. It must be understood, however, that the area develops because the land owners wish to sell off segments of the land for economic gain. They have the same basic obligation of the original owners to improve the services to accomodate the additional users they create.

4. If the sellers of lots take profit without contributing to road improvements to and within the area, the remainder

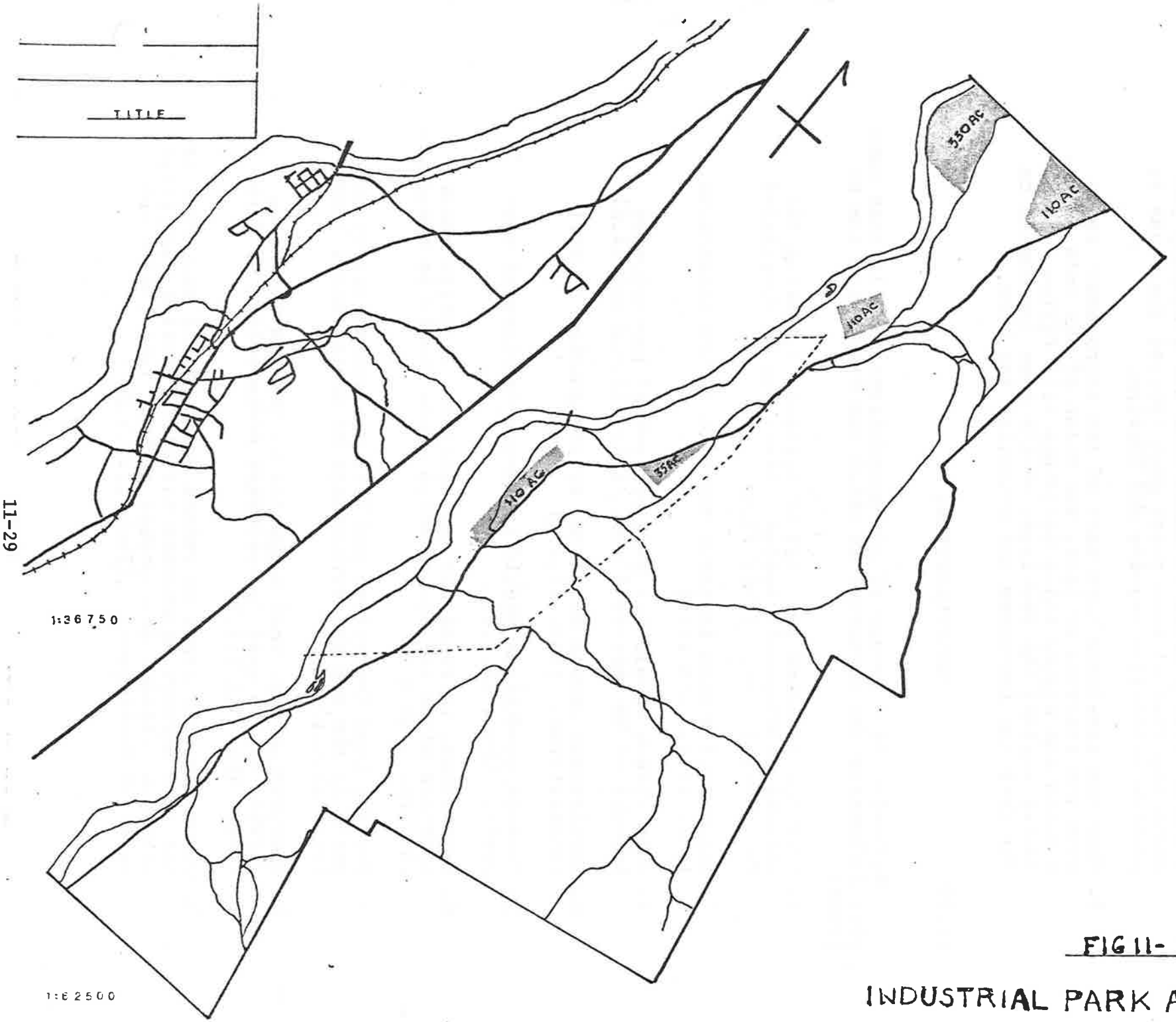


FIG 11- 7

INDUSTRIAL PARK AREAS

of the community must eventually pay the bill. An alternative, of course, is to assess each new property owner a proportionate share of the cost when the road is improved. This process is cumbersome and arbitrary because the Town at some point must improve the roads to provide protective service and bussing.

5. When the developer pays part of the improvement costs with the creation of lots, the value of the lots is increased and higher value buildings will follow. Such levies against the developer avoids some tax burden on the Town and increases the potential tax base.

11.10 RECOMMENDATIONS

Following is a re-cap of recommendations made in this section indicating the paragraph in which the discussion can be found:

1. Land use is based on a set of criteria following the natural development process. Areas can be designated for special uses. (Par. 11.3)

2. Delay subdivision in areas where roads are inadequate. (Par. 11.4.2 and 11.6)

3. Subdividers should pay part of cost of improvements brought on by increased use. (Par. 11.4.2 and 11.6)

4. Development should be guided by recognition of soil capabilities. (Par. 11.4.3)

5. Terrain conditions should influence development progress. (Par. 11.4.4)

6. Development in flood plains, wetlands, wildlife areas, historic sites and conservation areas should be restricted. (Par. 11.4.5)

7. Use the Land Evaluation and Site Assessment policy to guide in the use and development of agricultural land. (Par. 11.5.1)

8. Diversified farm uses suggested by the UNH Extension Service can be used to encourage preservation of farmland. (Par. 11.5.3.1)

9. Community take steps to retain agricultural character of the Town through assessment policies, service facilities, purchase options, development rights, land trusts and selected development. (Par. 11.5.3.2)

10. Establish a point system for allocation of costs to developers and to the Town. (Par. 11.6)

11. Guide commercial development through the Site Plan Review process. (Par. 11.7)

12. Establish Industrial Park zone(s). (Par. 11.8)