

# **Marlow Land Use Study**



**Presented by the Franklin Pierce College  
Small Business Advisory Group to the**

**Town of Marlow**

**May 2, 2006**

For information and questions related to this study,

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# **Introduction**

## **Background Information**

- **Marlow is a largely undisturbed rural community with a population of 781, located on the northern border of Cheshire County, and approximately 15 miles from the City of Keene (pop. 22,955). <sup>1</sup>**
- **9.7% (1,635 acres) of Marlow's total area is developed, while 90.3% (15,325 acres) is undeveloped. <sup>2</sup>**
- **The picturesque historic district, unique natural features, and overall character of the town have attracted visitors, since the town was granted in 1761. <sup>3</sup>**

# Land Use and Preservation Goal

- In 2003, a revised Master Plan was enacted by the Town of Marlow with following land use goals and policies:
- “To preserve and enhance the physical environment of Marlow, including its scenic, natural, and man-made elements.”<sup>2</sup>



# **Land Use and Preservation Policies:** **(As quoted from Master Plan)**

- **“Inventory and maintain the historic assets of the community, including historic sites, town buildings and other historic buildings, especially those within the designated local historical districts.**
- **Inventory, maintain and improve water quality of the Ashuelot River and various streams, ponds and wetlands in the town in cooperation with the Ashuelot River Advisory Committee.**
- **Regulate new residential and commercial growth to occur on suitable land in keeping with the rural atmosphere of the community, without taxing town facilities.”**

# Nature of the Problem

- **New Hampshire has experienced significant population growth and development during the last decade.**
- **As a result, many towns have had to act reactively rather than proactively toward land use issues and zoning ordinances.**
- **Example: Challenges related to providing adequate town services (school, fire, police, etc.) due to residential growth.**
- **As of 2002, 16 NH towns had enacted growth control zoning ordinances pegged to building permits.** <sup>4</sup>



# Purpose of The Project

- **The purpose of this project is to identify land use issues that Marlow community members feel strongly about. The results of this study may help in determination of zoning ordinance changes and town policy decisions.**



# Research Statement

- **Research is necessary to determine the attitudes and opinions of Marlow, New Hampshire residents with respect to land use and growth issues.**



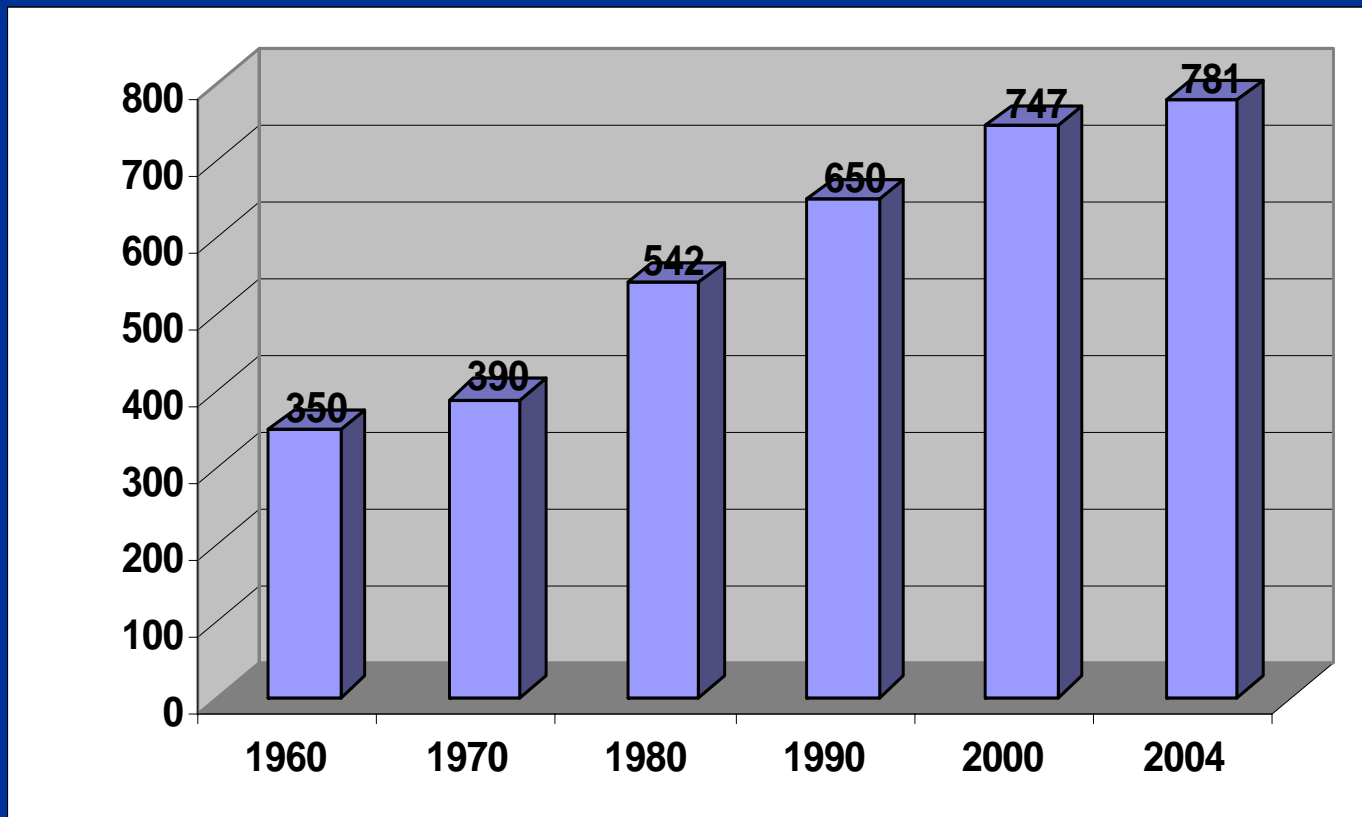


# Research Objectives

- **Determine overall growth preferences.**
- **Determine if current zoning ordinances are acceptable.**
- **Determine if any zoning ordinances should be added or deleted.**
- **Identify what types of businesses and organizations are preferred**
- **Identify conservation and historic preservation preferences.**

# Literature Review Summary

## Growth Trends Marlow Population <sub>1</sub>



- **From 1990-2004, NH's population grew 17.2%, twice the rate of the rest of New England.** <sup>5</sup>
- **The state's population is expected to grow more than 28% - an increase of 358,000 by 2025.**
- **There were an estimated 575,671 housing units for the year 2004 in the state of NH, an increase of 28,647 from 547,024 in 2000 (5% increase in 4 years).** <sup>6</sup>
- **In 1970, 139 towns were classified as rural; by 2025, this number will most likely drop to 72.** <sup>5</sup>
- **Residential development is expanding north and west along major highway corridors in NH.**

# Why are people and businesses moving to New Hampshire?

- Voted “Most Livable State,” for 2006 and previous two years, according to a Kansas research firm. <sup>7</sup>

## Positive factors include:

- Economic performance
- Infrastructure
- High median household incomes
- Highest percentage of high school graduates
- Lowest teenage birth rate

# Zoning Ordinance Related

- **Growth control ordinances limit the rights of property owners under the NH and US constitutions to use their property.** <sup>4</sup>
- **Under the NH Constitution, a property owner has the right to be free from arbitrary and unreasonable land use regulations that deprive the owner, whether permanently or temporarily, of the use and enjoyment of his/her property.**
- **Towns wishing to adopt growth control ordinances should collect data that assesses the town's development needs in comparison of those of surrounding towns.**
- **Growth ordinances cannot be based on arbitrary numbers, but rather should be based on current and historical data.**

- **As of 2002, 16 NH towns used growth ordinances based on the number of building permits issued. The number of building permits issued for a given year generally ranged from 2%-5% of the current housing stock.**
- **Most of these towns have never been challenged legally.**
- **22 NH towns are also using impact fees, in order to offset costs associated with improvement of capital facilities owned or operated by a municipality.**

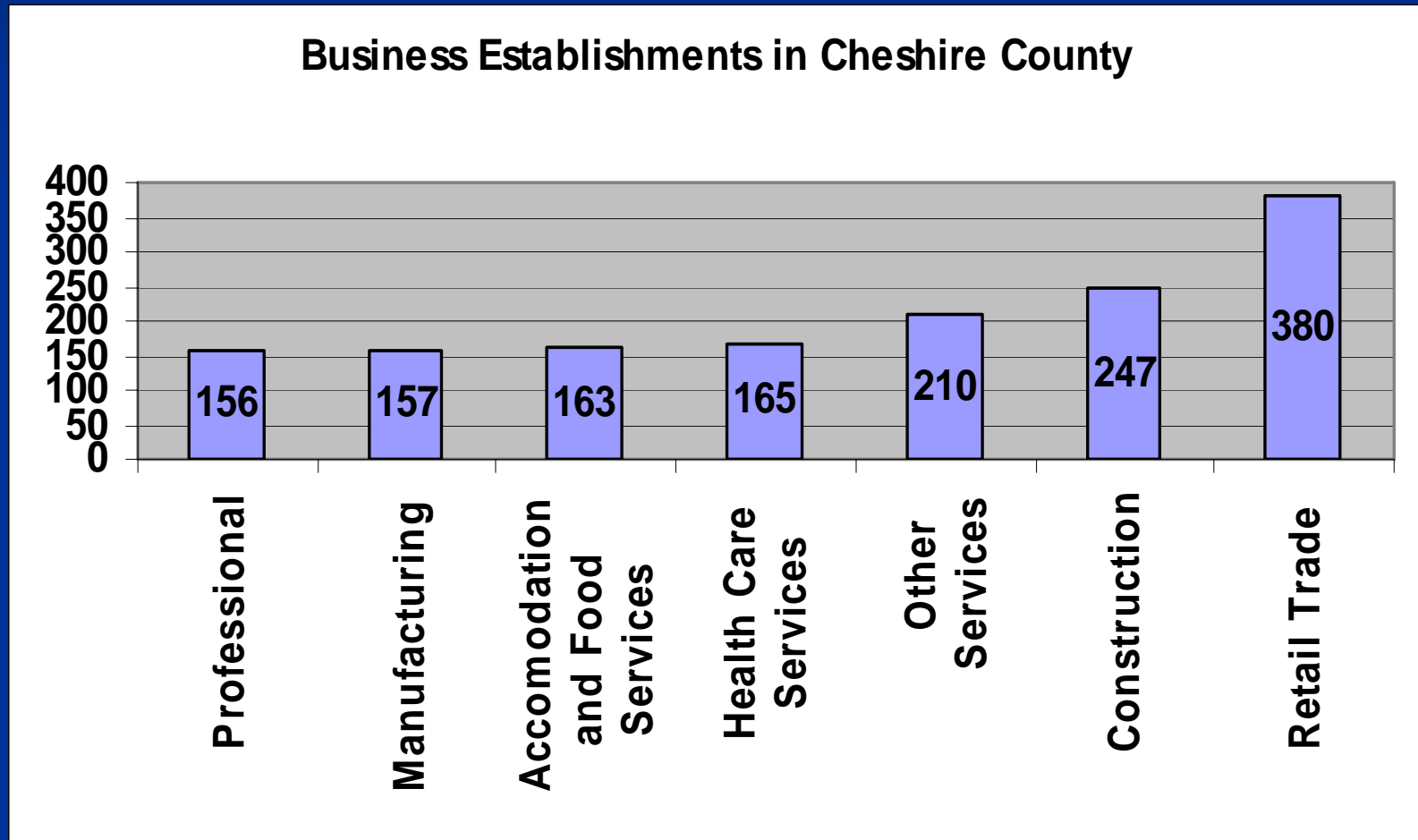


- **The Comprehensive Shoreland Protection Act (CSPA) sets minimum standards for the development, use and subdivision of all land within 250 feet of a water's edge.** <sup>4</sup>
- **Pursuant to the CSPA, most structures must be set back 50 feet from public waters, unless the municipality has set a greater or lesser setback requirement in its zoning ordinance.**
- **Towns that have no zoning ordinance related to the CSPA, must adhere to the 50 feet setback standard.**

# **Business and Employment Related Trends**

- **The fastest growing occupations during the next decade will include health-care related services, technology-related services, and education. These occupational areas are projected to grow 30%-50%. <sup>8</sup>**
- **NH continues to shift away from a production-driven economy to one that is service-driven. <sup>9</sup>**
- **NH added 4,726 service jobs from June 2004 to June 2005 – a 1.1% increase from the previous year.**

# Service-oriented establishments are evident in Cheshire County: <sup>10</sup>



# Statewide Land Use Issues-Cell Towers

- **As the telecommunications industry continues to grow, cell towers have become increasingly part of NH's landscape.**
- **As a result, many NH towns have enacted zoning ordinances that spell out where cell towers should be permitted.**
- **In addition, some towns require a cell tower design that blends in with the surrounding landscape, as well as a disassembly plan.**
- **As digital/satellite replaces communication technology, cell towers will become obsolete.**

# Statewide Land Use Issues-Windmills

## Benefits <sup>11</sup>

- **Reduced dependency on oil, coal, and other nonrenewable energy resources**
- **Reduced pollution**
- **Creation of jobs**
- **Potential tax revenue for towns**

## Issues and Potential Problems:

- **Negative impact on wildlife such as migrating birds.**
- **Visual impact such as clear-cut mountain ridges and blinking lights at night.**
- **Continuous audible drone within a ½ mile.**
- **Two-time tax consequence – tax dollars that support government subsidies and taxes collected on electric bills.**
- **Reliability – energy may only be produced when conditions are appropriate.**



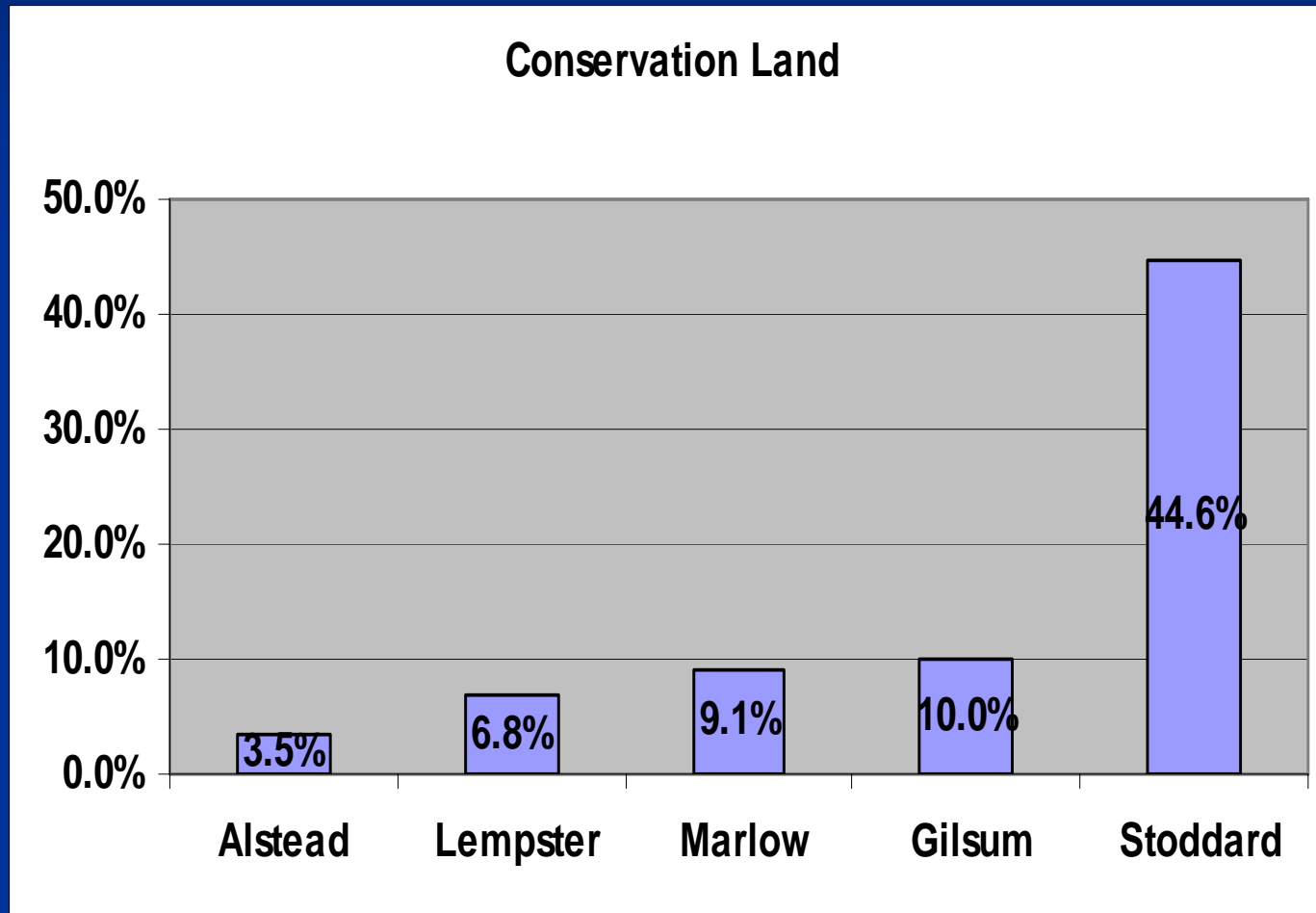
# Statewide Land Use Issues-Bottled Water

- **1/2 of 1% accounts for all available fresh water on the earth.** <sup>12</sup>
- **Global consumption of water is doubling every 20 years.**
- **NH has a lot of “Blue Gold” that translates into big \$.**
- **Corporations know this too - USA Springs, Inc. was granted a permit by the Department of Environmental Services to extract 112 million gallons of water from an aquifer in town of Nottingham and Barrington – the largest bedrock water extraction endeavor in NH’s history. Local residents feared their own wells would be tapped dry.** <sup>13 + 14</sup>

# Conservation Trends

- **Voters in 20 NH towns voted to spend a collective \$8.4 million on land conservation during the 2006 town meetings.** <sup>15</sup>
- **Last year, 28 NH towns appropriated \$24.1 million for land conservation.**
- **NH has conserved more than 291,000 acres in the past 6 years.** <sup>5</sup>
- **27.7% of the state is now protected, up from 23.3% in 1998. But 75% of all conservation land is in the northern half of the state.**
- **Many NH towns have increased their percentage of conservation land since 1998. But nearly half have less than 10% of their land conserved.**

# Here's how Marlow's conservation land, as a percentage of the entire municipality compares to border towns:



# Methodology and Procedures

## Problem Identification

- **The problem under study was identified after receiving feedback and support from community members, town officials, and land use experts.**
- **A land use study of this magnitude has never been undertaken for the Town of Marlow.**

# Development of the Survey

**The Marlow Land Use Study questionnaire was developed using the following procedures:**

- **Two land use studies, including a 2005 questionnaire used by the Town of New Boston, NH, and a 1999 questionnaire used by the Town of Errol, NH.**
- **A review of the literature.**
- **Interviews with three land use experts from: State of NH Office of Energy and Planning, Southwest Regional Planning Commission, Law Firm of Baldwin, Callen, and Ransom.**
- **A review of the current Master Plan and Zoning Ordinances.** 16
- **Feedback from Marlow Planning Board members.**

# Definition of the Population

- **Based on the 2000 Census, the population of Marlow, people 18 years and over was 561.**

## Sample Size

- **The non-probability sampling method amounted to a sample size of 237.**



# Data Collection Method

- **Interviews occurred during February, 2006 with three land use experts via telephone.**
- **Questionnaires were available during the month of March 2006, at three town locations: The Marlow Town Library, Marlow Town Office, and Marlow Grocery.**
- **510 questionnaires were mailed with the 2006 Inventory of Taxable Property form on March 14, 2006, with a return date of April 15, 2006. The mailing was to all Marlow taxpayers.**

# Assumptions

- **It was assumed that respondents of the questionnaire answered honestly and accurately.**
- **It was assumed that all data was entered accurately into the SPSS software package.**

# Limitations

- **Time was of the essence for completing this study. The team had to develop, distribute, collect, and tabulate the results of a questionnaire during a four-month period.**
- **More time would have been helpful with regard to the literature review.**
- **More feedback from more community stakeholders would have been helpful with respect to drafting the questionnaire. It is possible important questions were overlooked.**

# Results of Interviews

*Interview question responses from three land-use experts:  
State of NH Office of Energy and Planning, Southwest  
Regional Planning Commission, Law Firm of Baldwin,  
Callen, and Ransom*

## **1. What do you think are the most pressing issues facing growth in New Hampshire?**

- **Balancing growth with environmental and historical preservation, as well as providing adequate public services and infrastructure.**
- **Maintaining town's identity.**

## **2. What do you think are the most significant challenges associated with zoning ordinances?**

- Ensuring the best interests of the citizens are taken into consideration with new developments.**
- Finding consensus among residents with regard to zoning while respecting property owner's rights.**

### **3. Can you think of any significant zoning ordinances that small towns should consider?**

- **A comprehensive Master Plan that is updated every 5 years.**
- **Annual update of Capital Improvements Programs.**
- **Housing laws for a variety of housing.**



## **4. What types of businesses and organizations does it appear from your perspective that small town communities tend to support?**

- **Jobs with high wages.**
- **Companies that don't congest the roads, won't drain natural resources, but will relieve taxes for town.**
- **Locally owned and managed businesses.**
- **Small businesses.**

## **5. What types of businesses and organizations does it appear from your perspective that small town communities tend to discourage?**

- **Heavy industry, big box retail (ex. Walmart), and strip mall storefronts.**
- **Businesses that encourage a lot of traffic, including gravel pits**

## **6. Can you identify any conservation and/or historic preservation preferences that small town communities typically support?**

- NH citizens are becoming increasingly proactive with regard to conservation, historic preservation – there is a move toward rural and quaint.**

## **7. Is there anything else you would like to add related to land use and small towns?**

- **Regional and national patterns of change increasingly require new perspectives.**

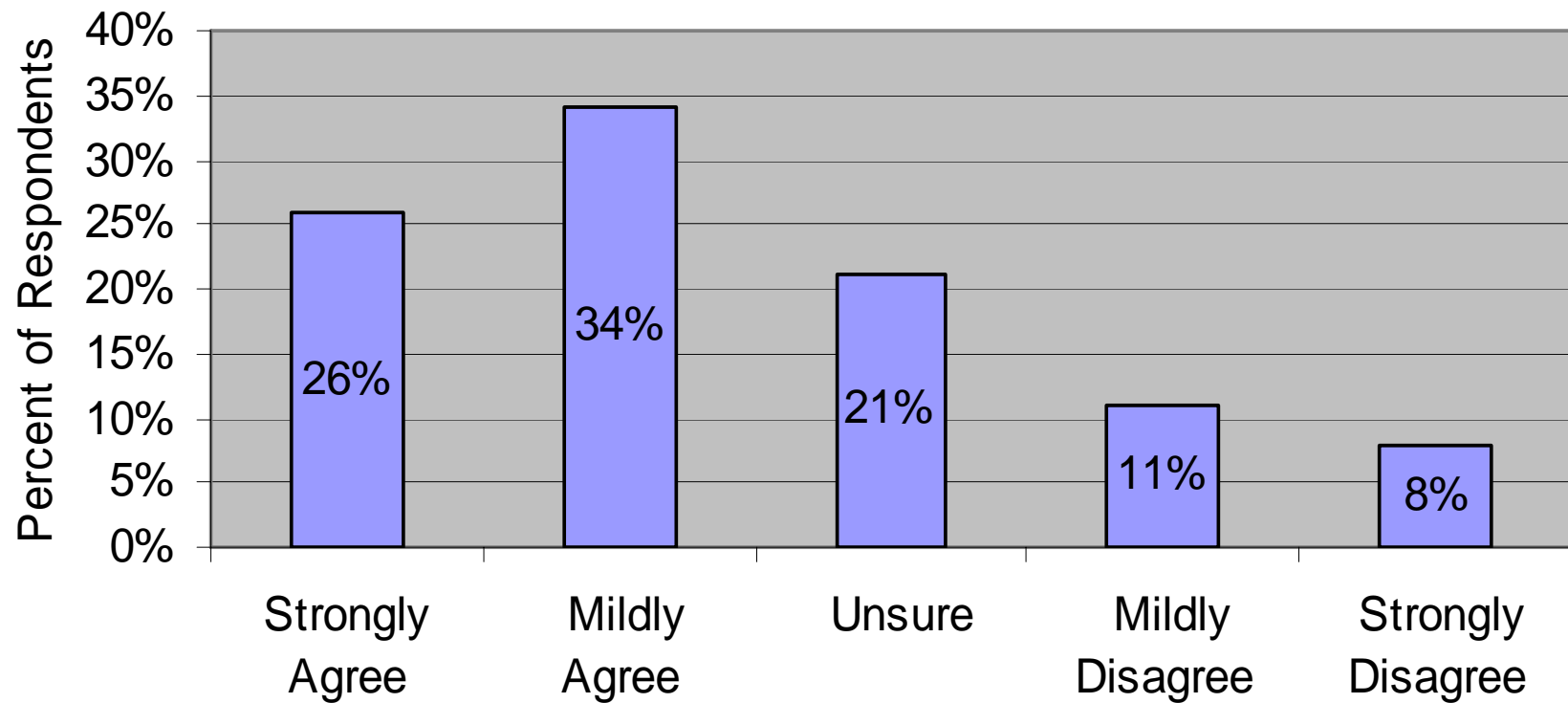
- **Most NH towns prefer remaining small and limiting growth.**

# Results of Questionnaire

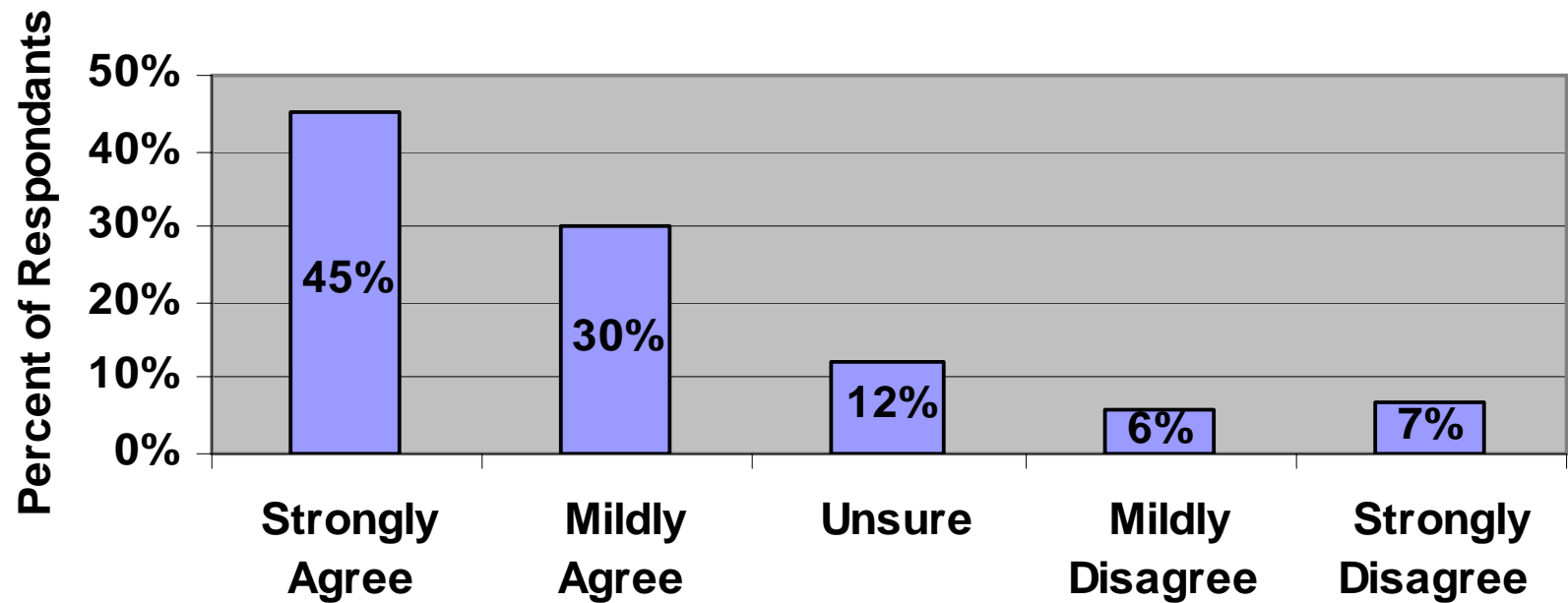
- **205 out of 510 mailed surveys were returned**
- **16 returned at Marlow Grocery Store**
- **8 returned at Town Office**
- **8 returned at Town Library**
- **Total = 237 questionnaires returned - a 43% response rate of eligible population!**

# Growth-Related

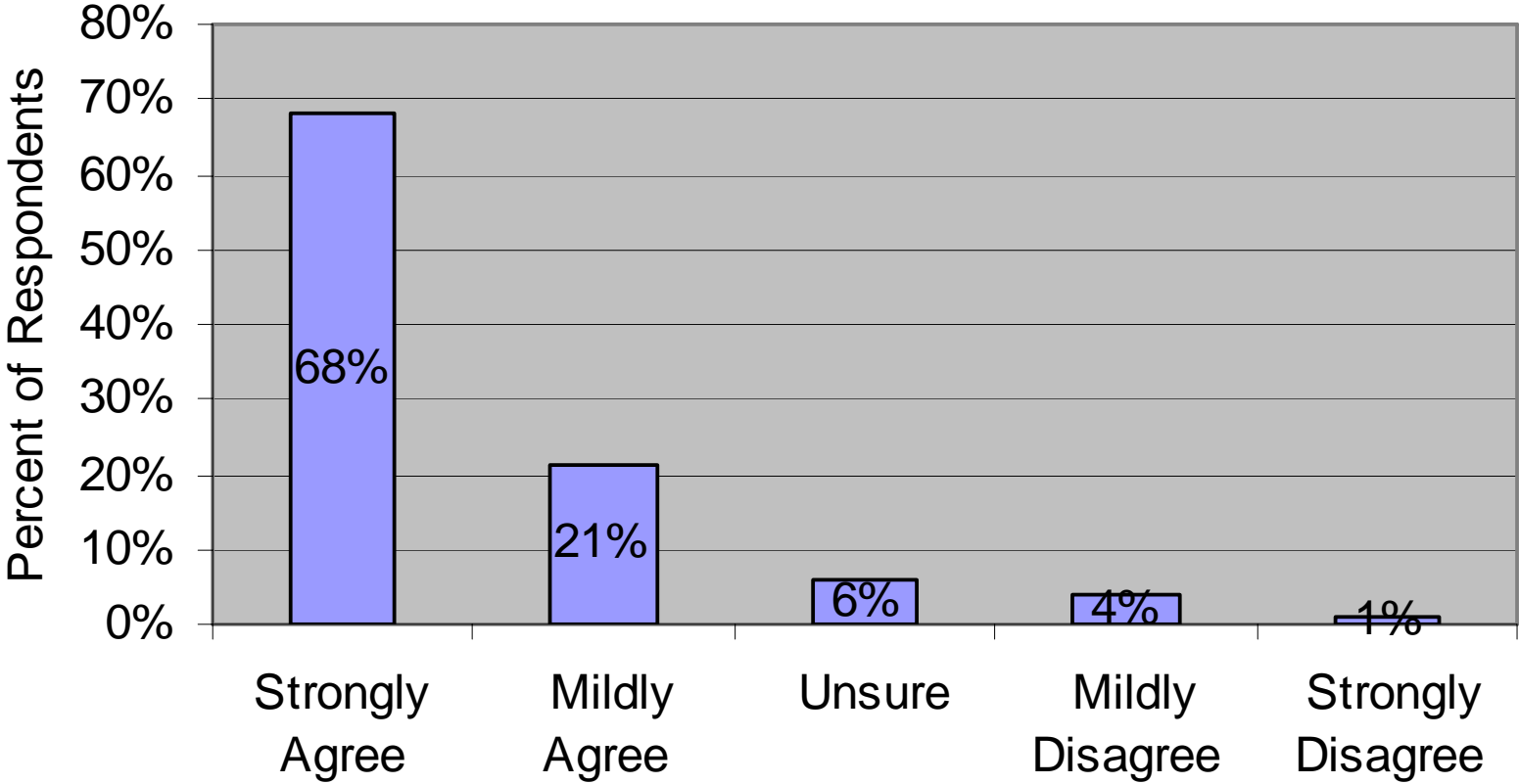
I am comfortable with Marlow's growth rate.



**I feel NH's overall growth rate will increase development pressure on Marlow.**



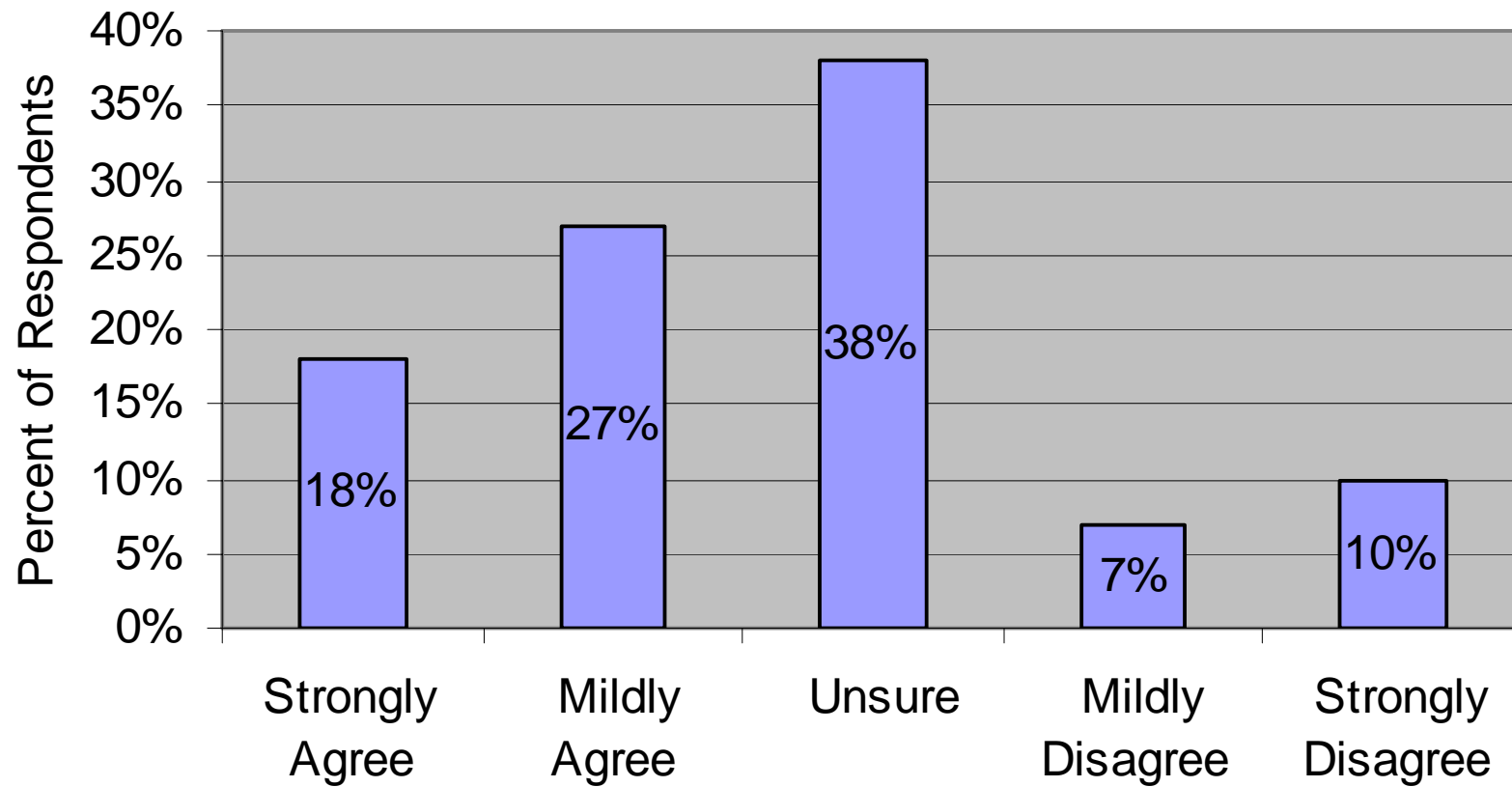
It is important to manage Marlow's future growth.



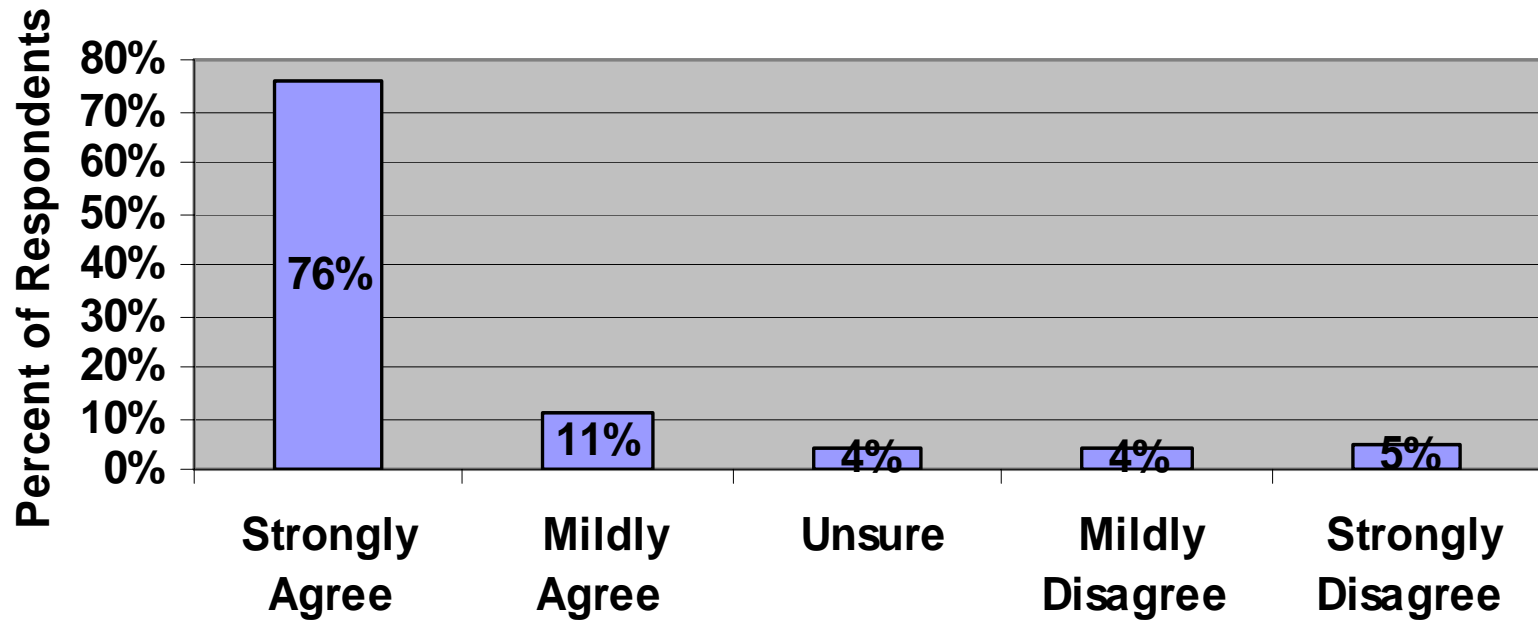


# Zoning Ordinances

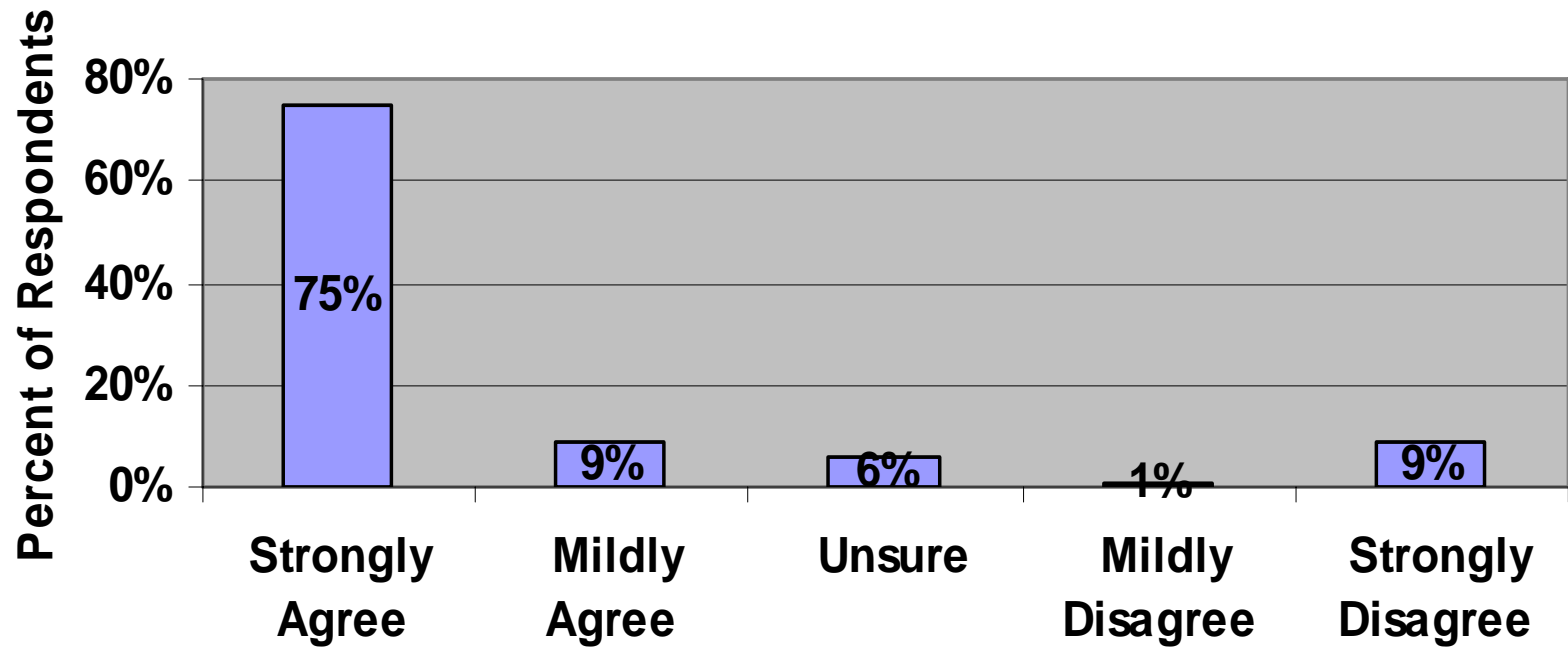
I am satisfied with Marlow's current zoning ordinances.



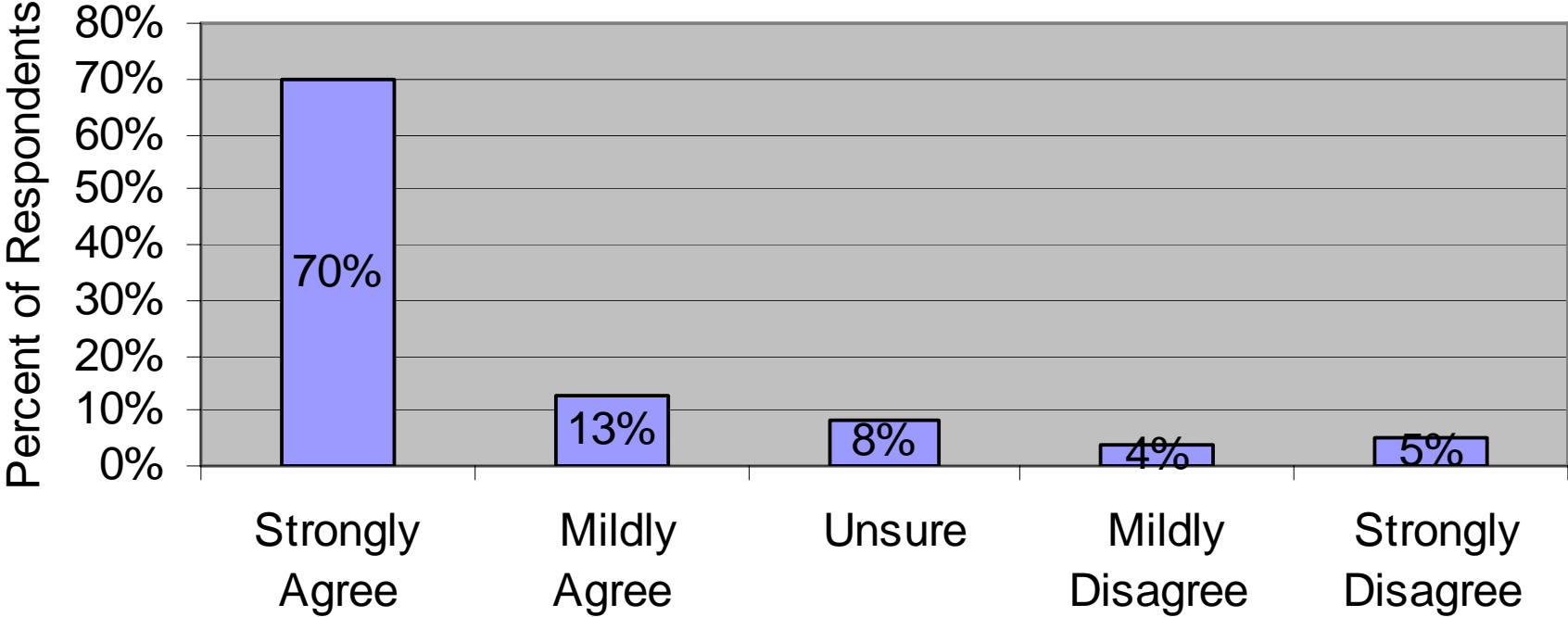
**Large scale developers should be required to pay additional fees to help offset the additional costs of town services and improvements such as roads, police, school, fire, library, etc.**



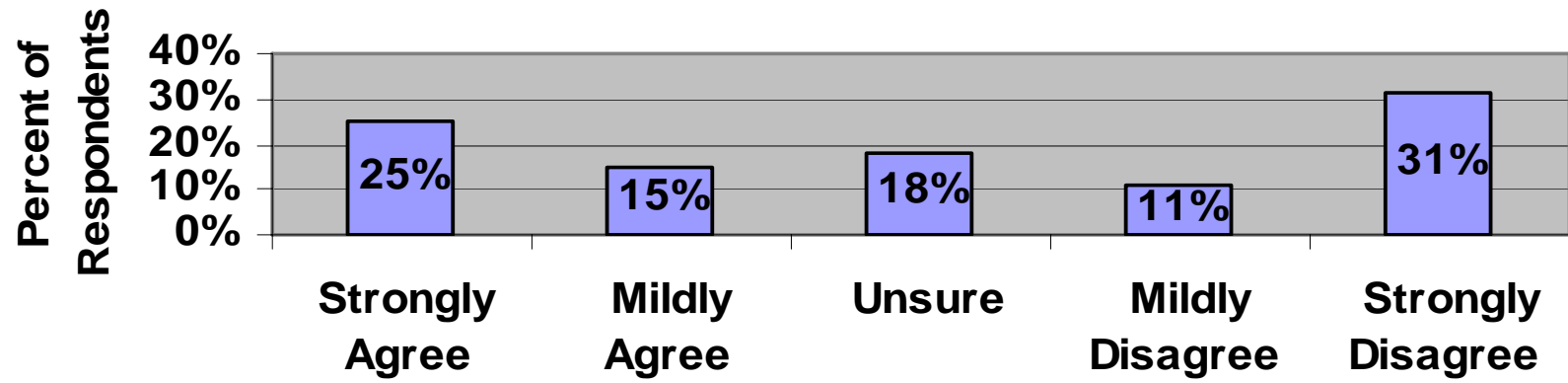
**Marlow should impose limits as to large-scale housing projects that number 10 or more units during the calendar year.**



Marlow should limit the rate of development according to the services the town is able to provide.

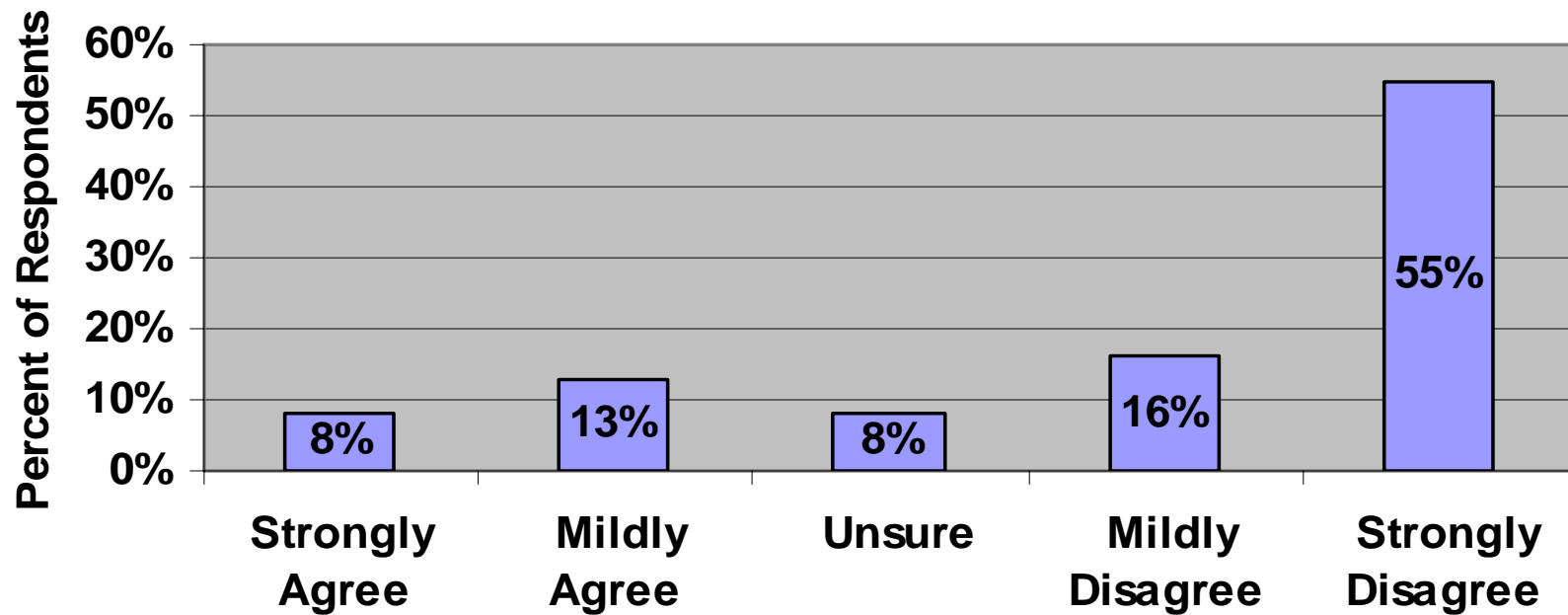


**I support the idea of cluster housing on individual lots in order to conserve more open space.**

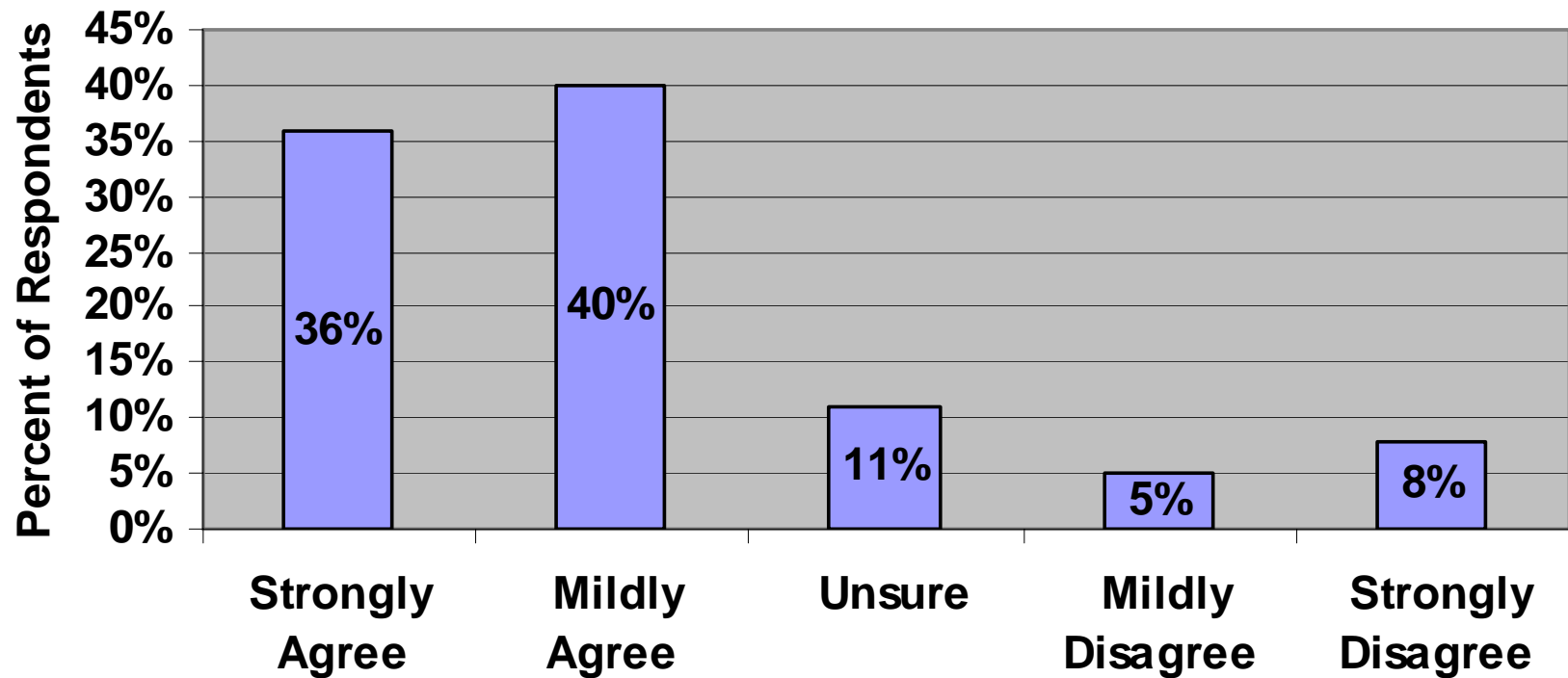


# Business Preferences

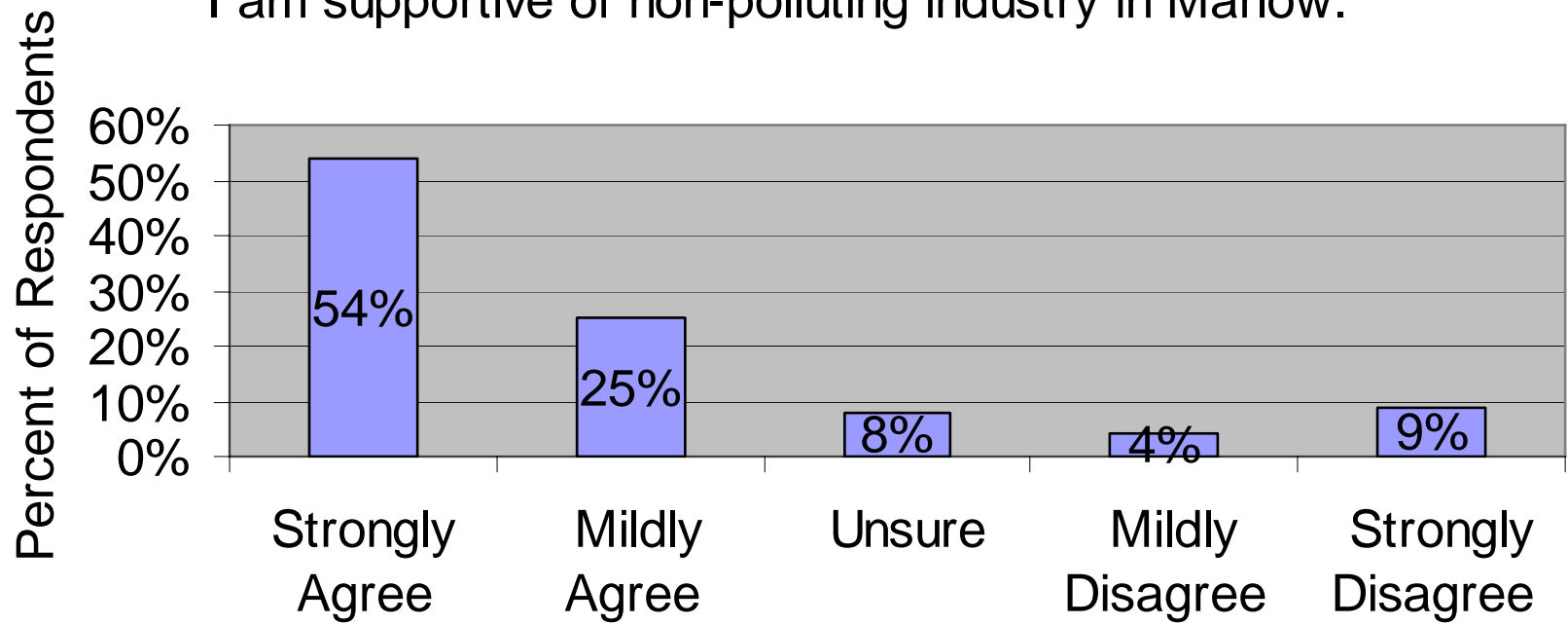
I am supportive of heavy industry in Marlow (ex. power plants).



**I am supportive of light industry in Marlow (ex. sawmills).**

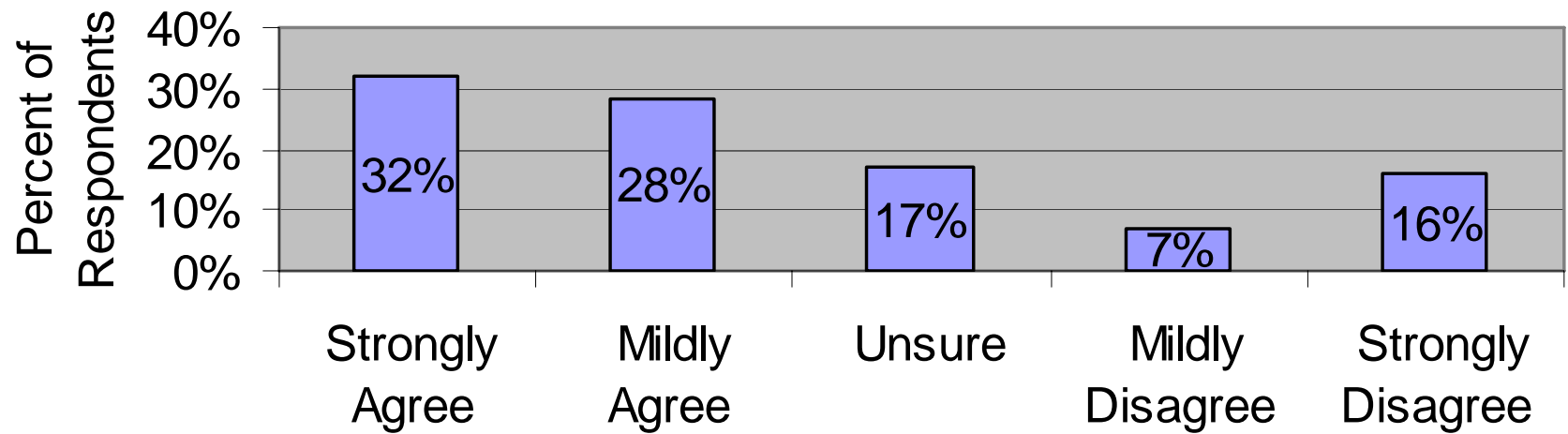


I am supportive of non-polluting industry in Marlow.

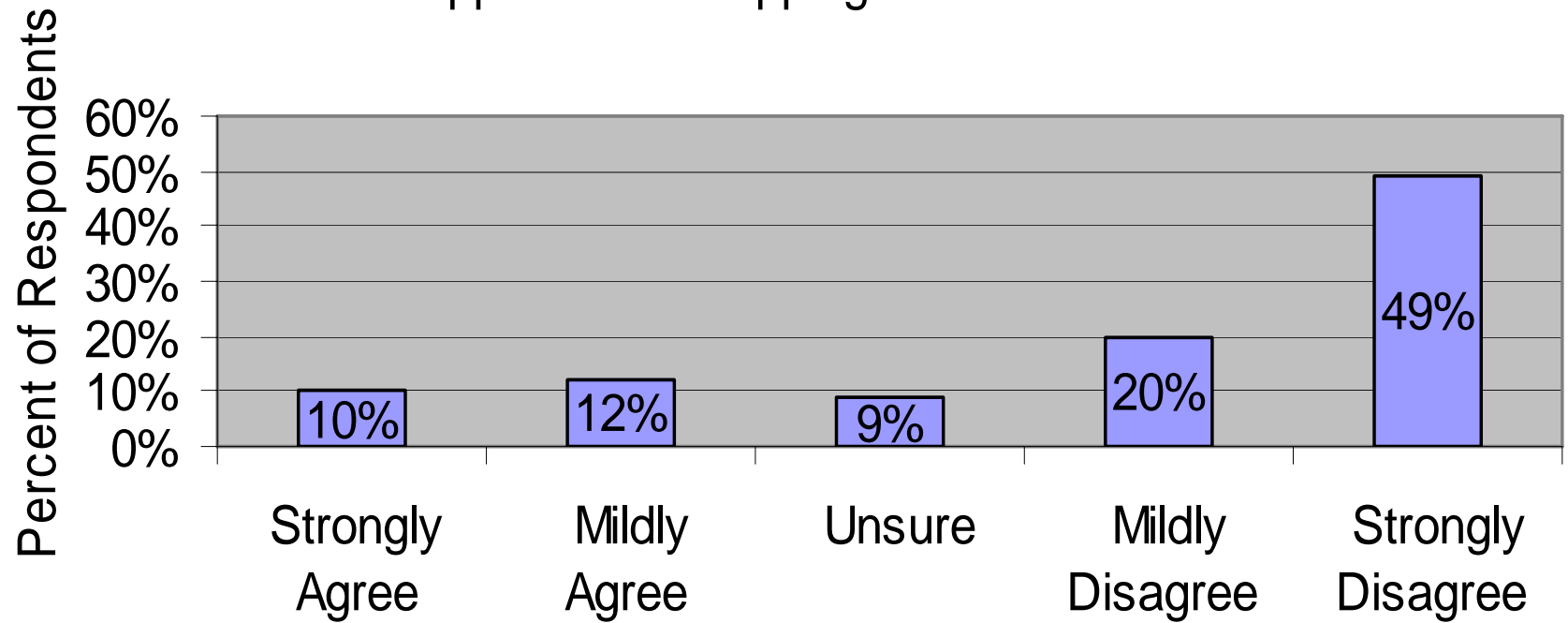




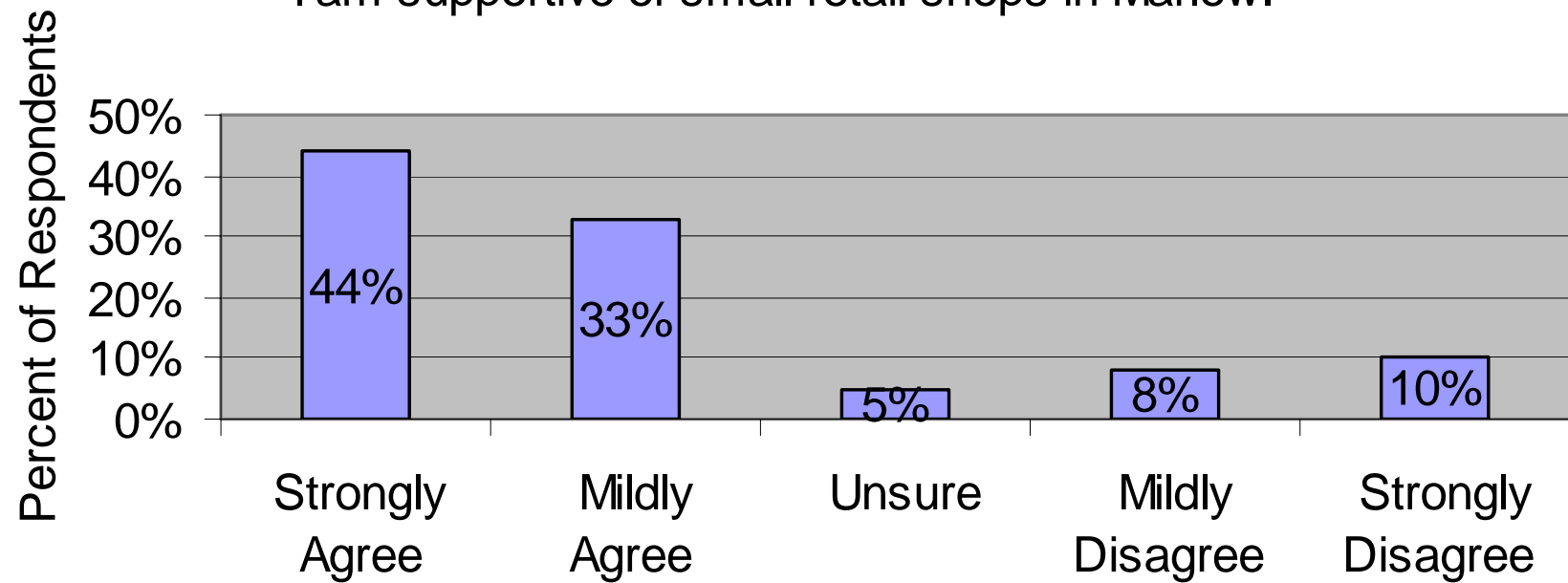
I am supportive of manufacturing in Marlow (ex. hardware, cosmetics)



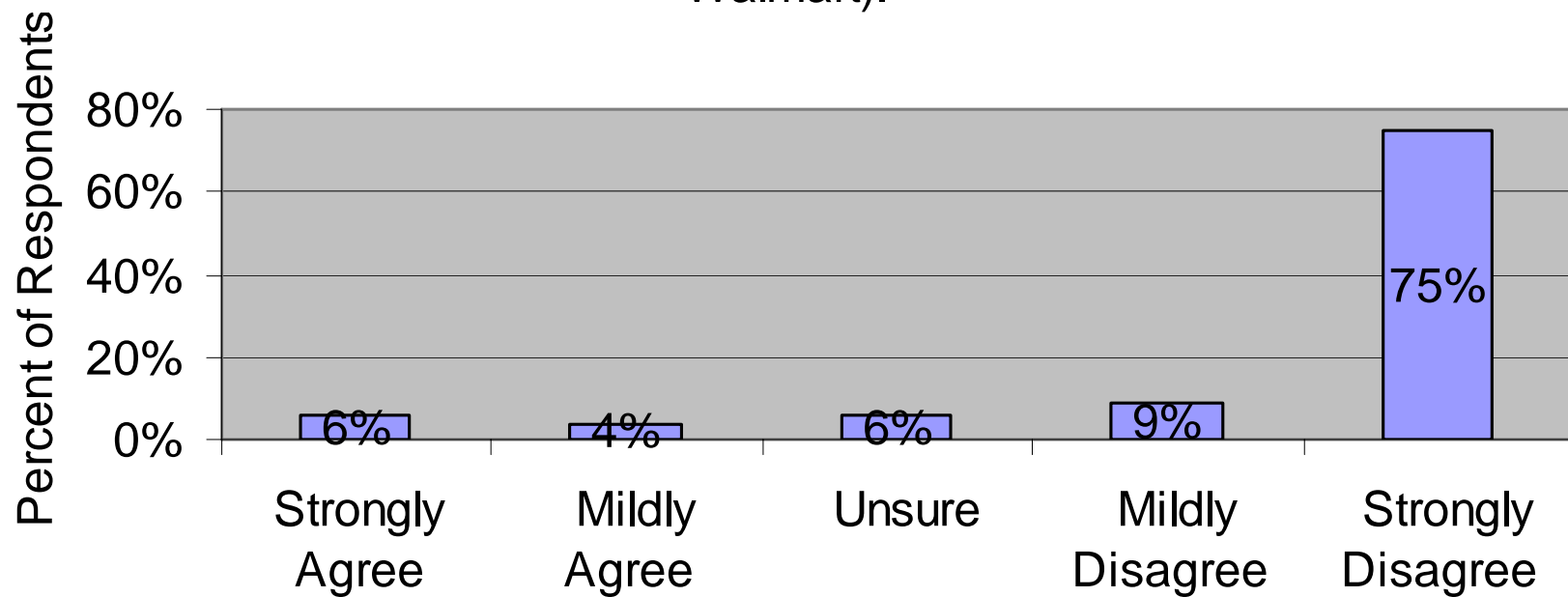
I am supportive of shopping centers in Marlow.



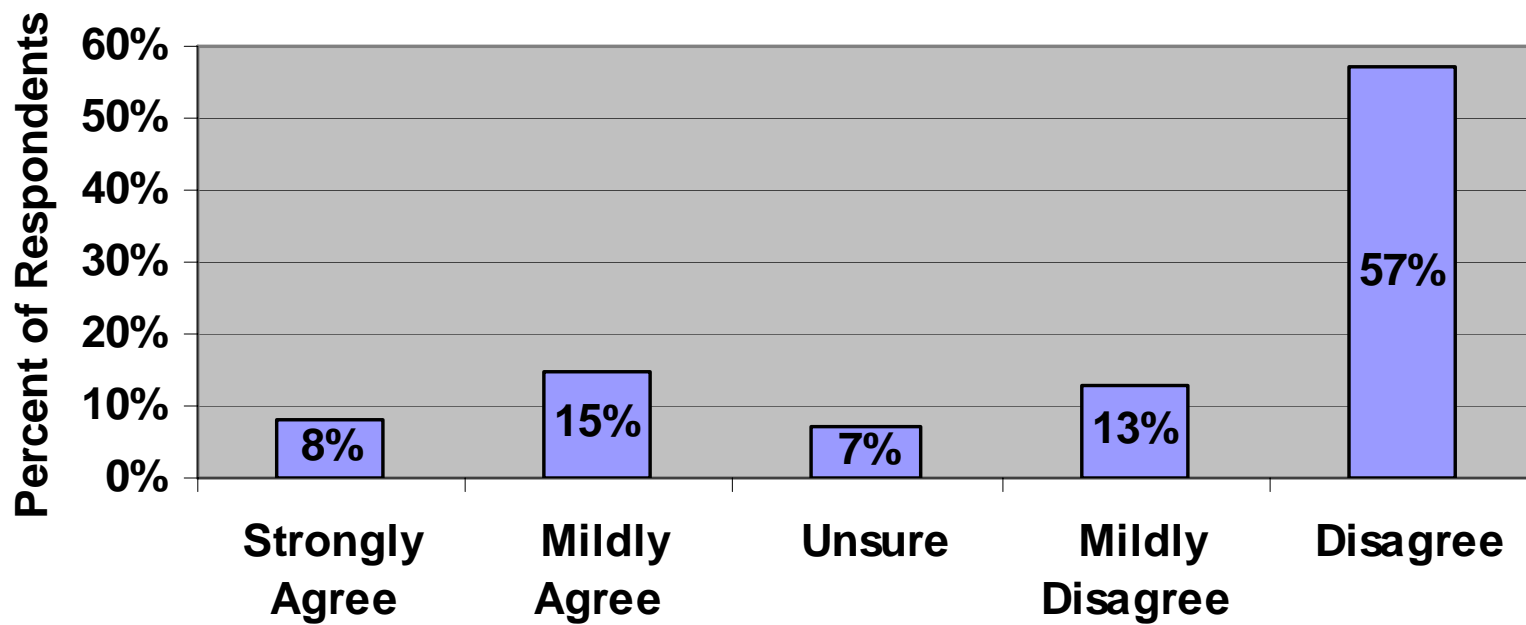
I am supportive of small retail shops in Marlow.



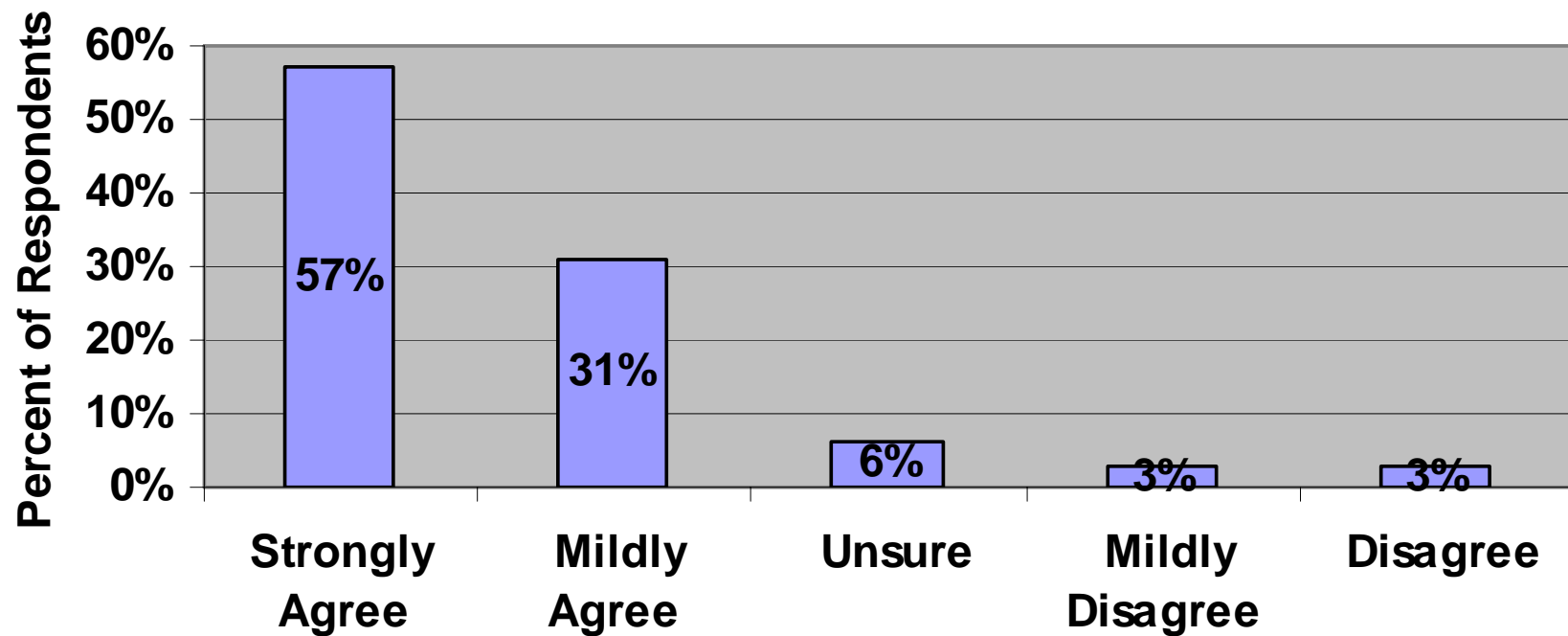
I am supportive of "Big Box" retail stores in Marlow (ex. Walmart).



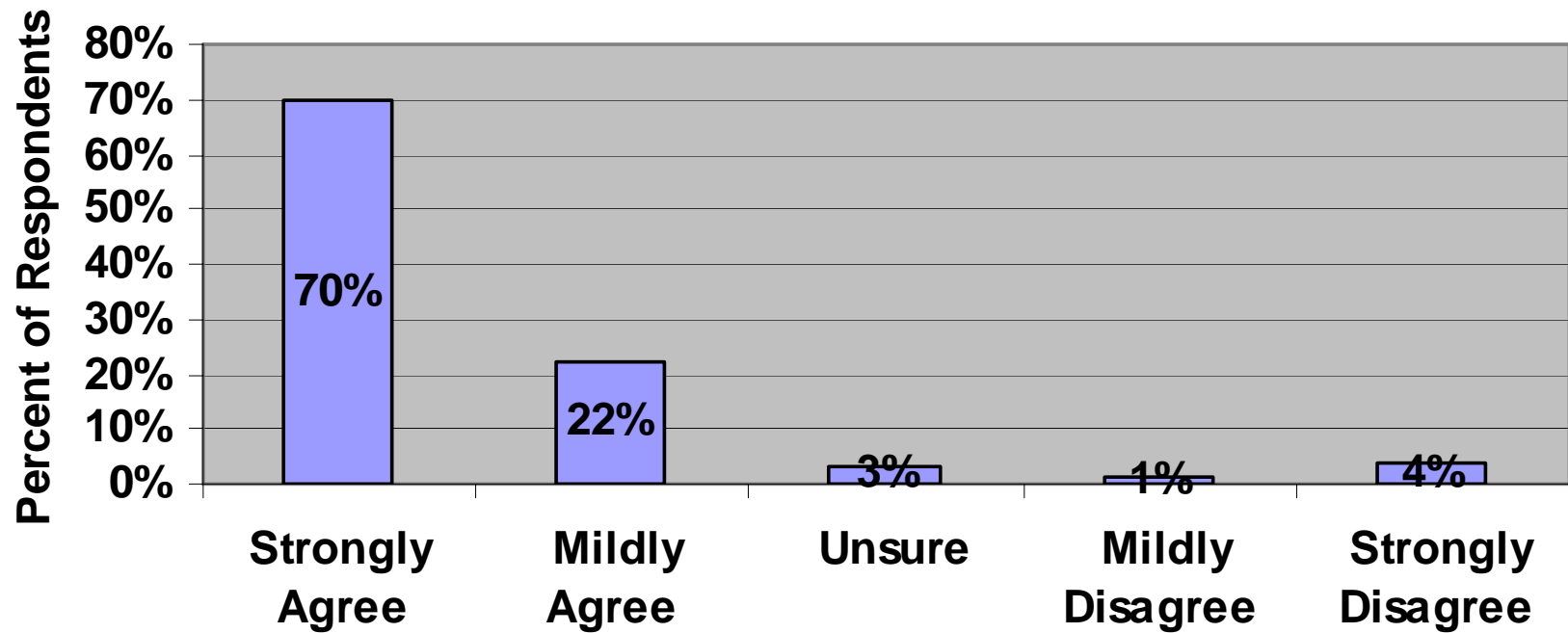
**I am supportive of chain retail stores in Marlow (ex. Rite-Aid).**



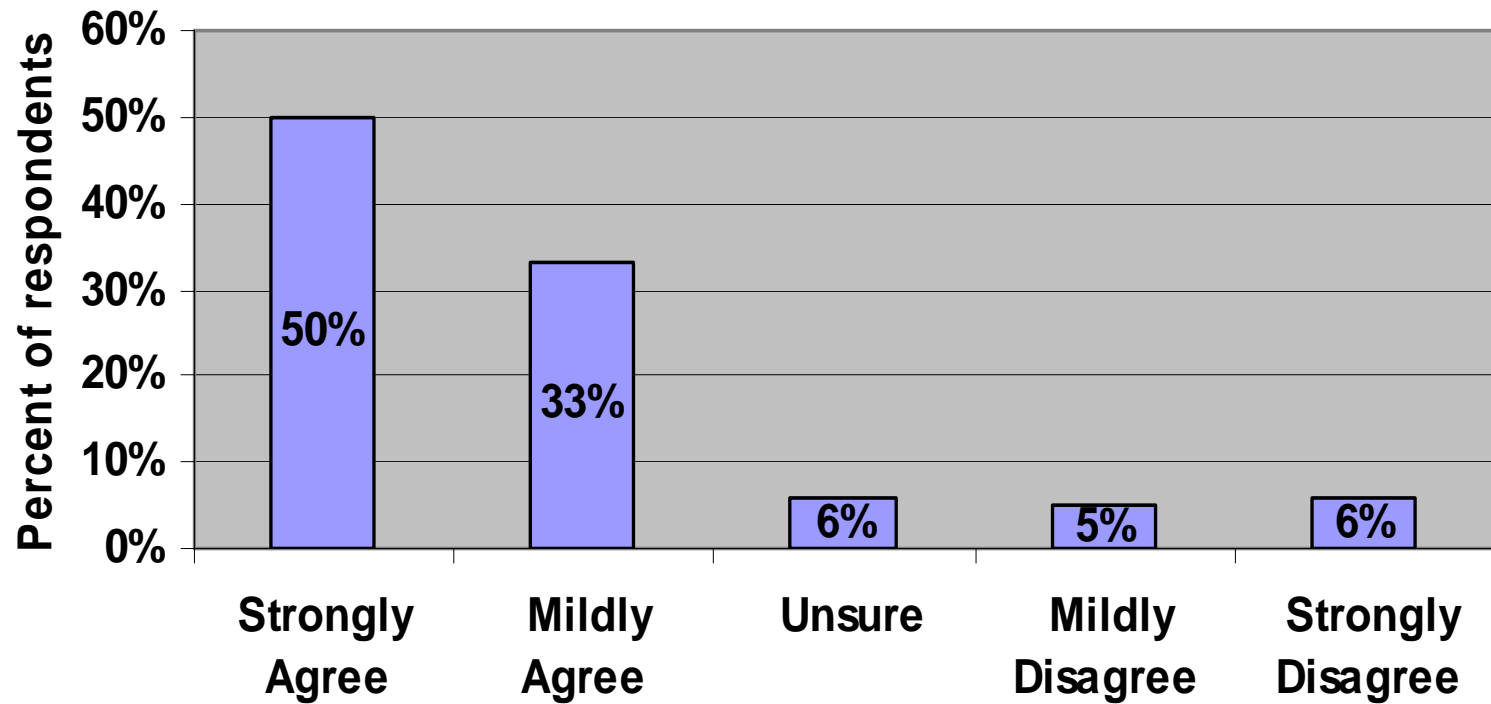
**I am supportive of agricultural based businesses in Marlow.**



**I am supportive of home-based businesses in Marlow (ex. consulting, computer, farm products).**

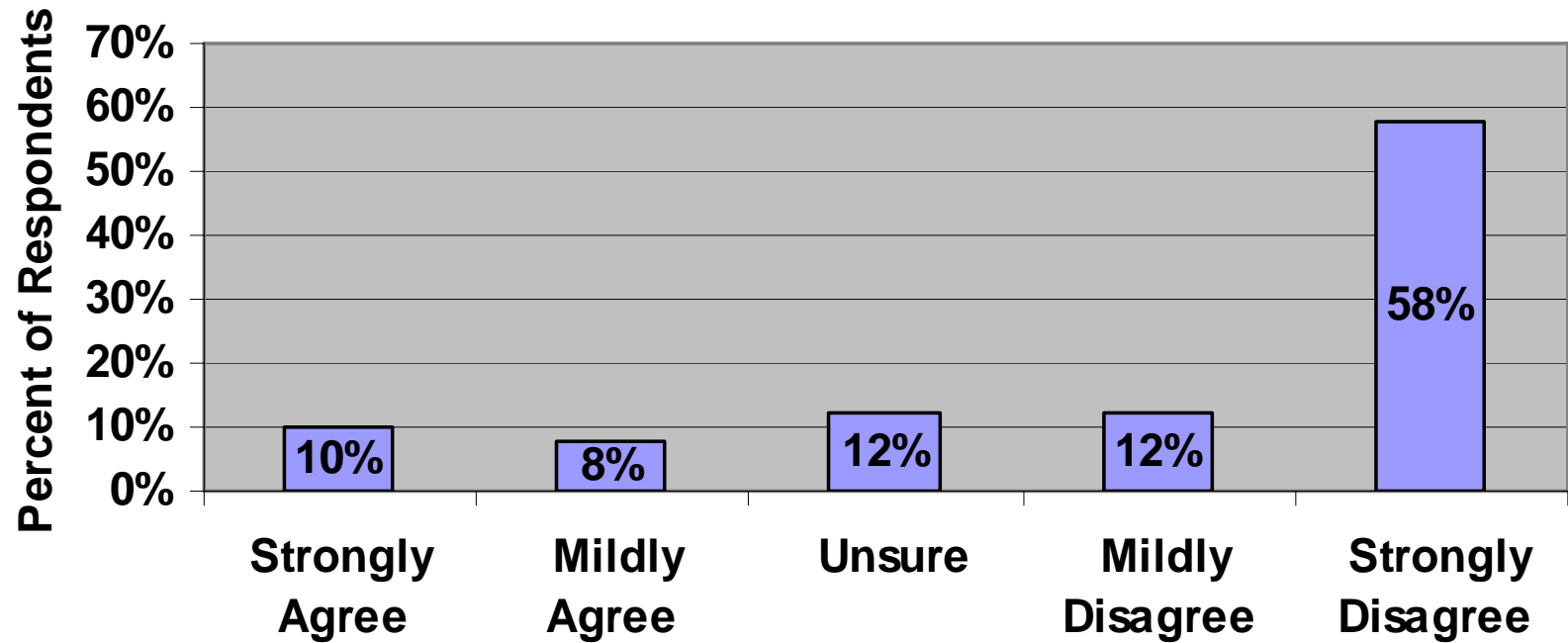


### I am supportive of restaurants in Marlow.

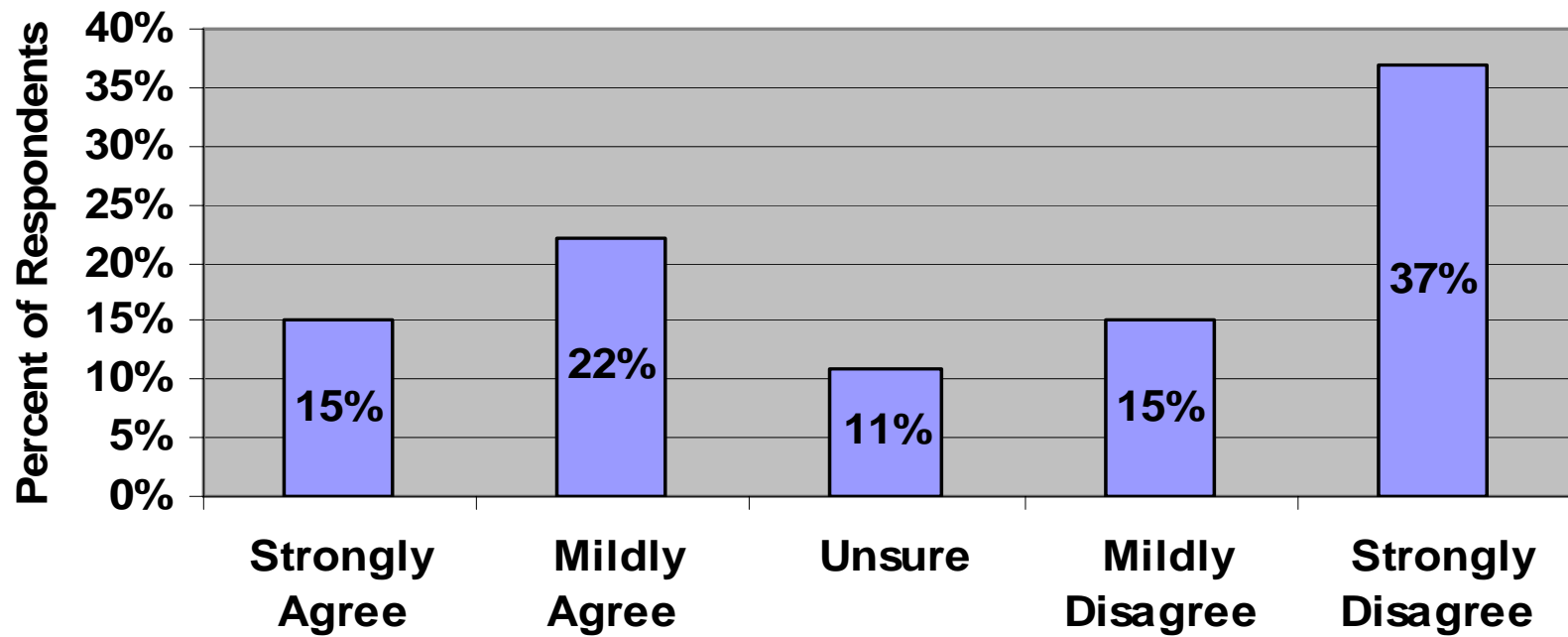




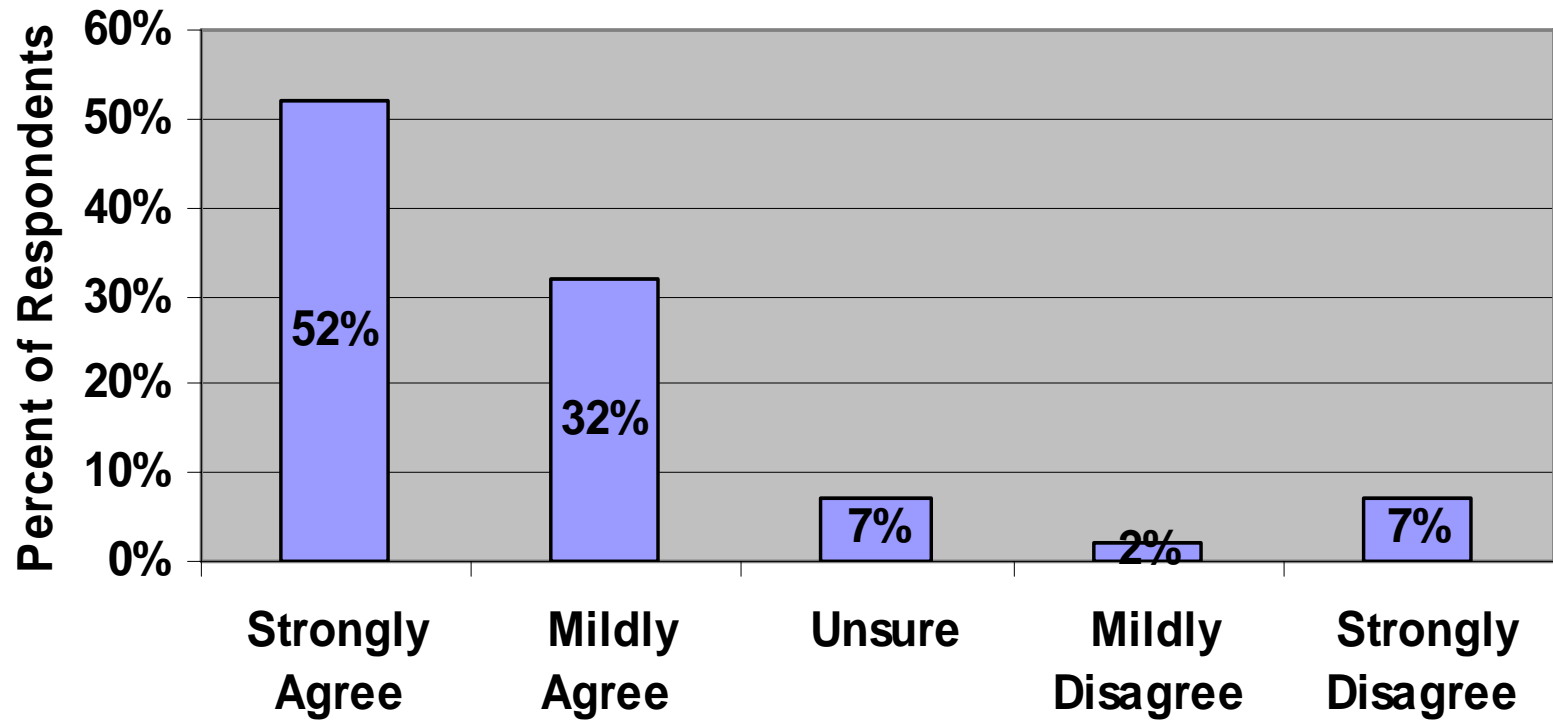
**I am supportive of fast-food restaurants in Marlow (ex. McDonald's).**



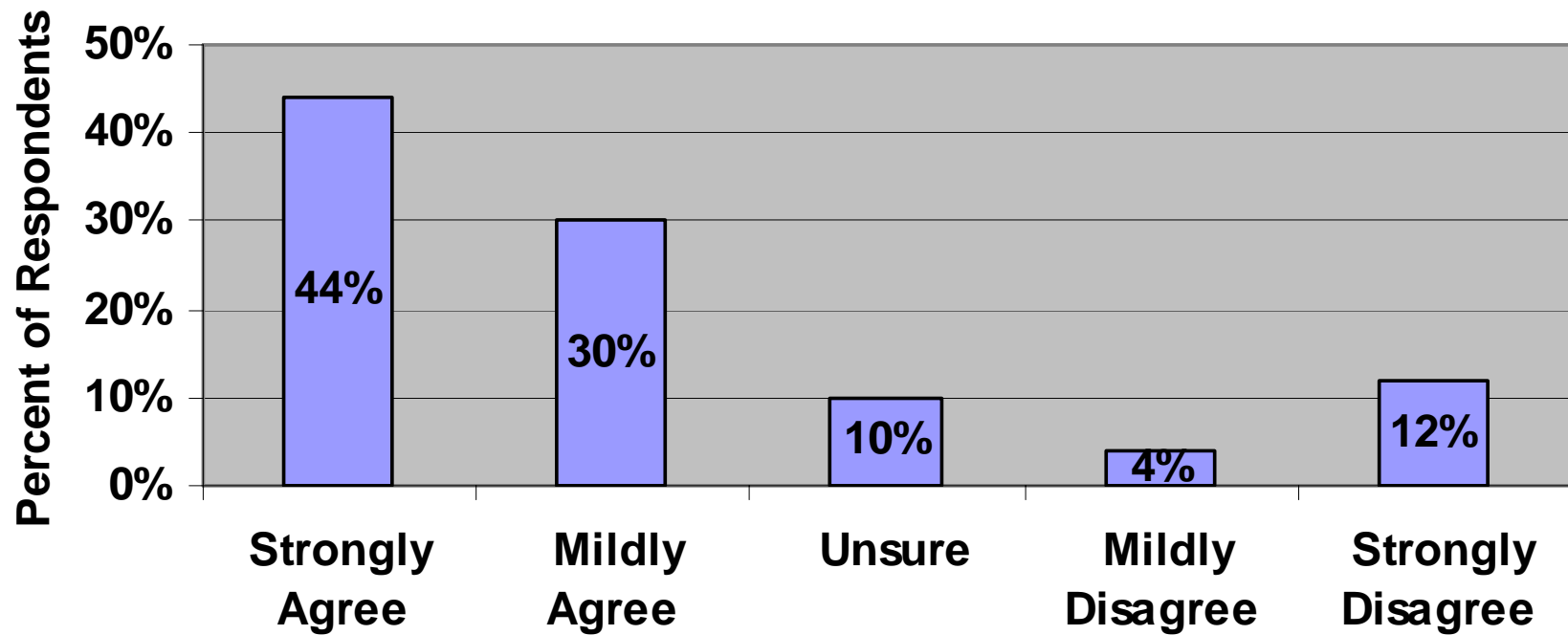
### I am supportive of motels in Marlow.



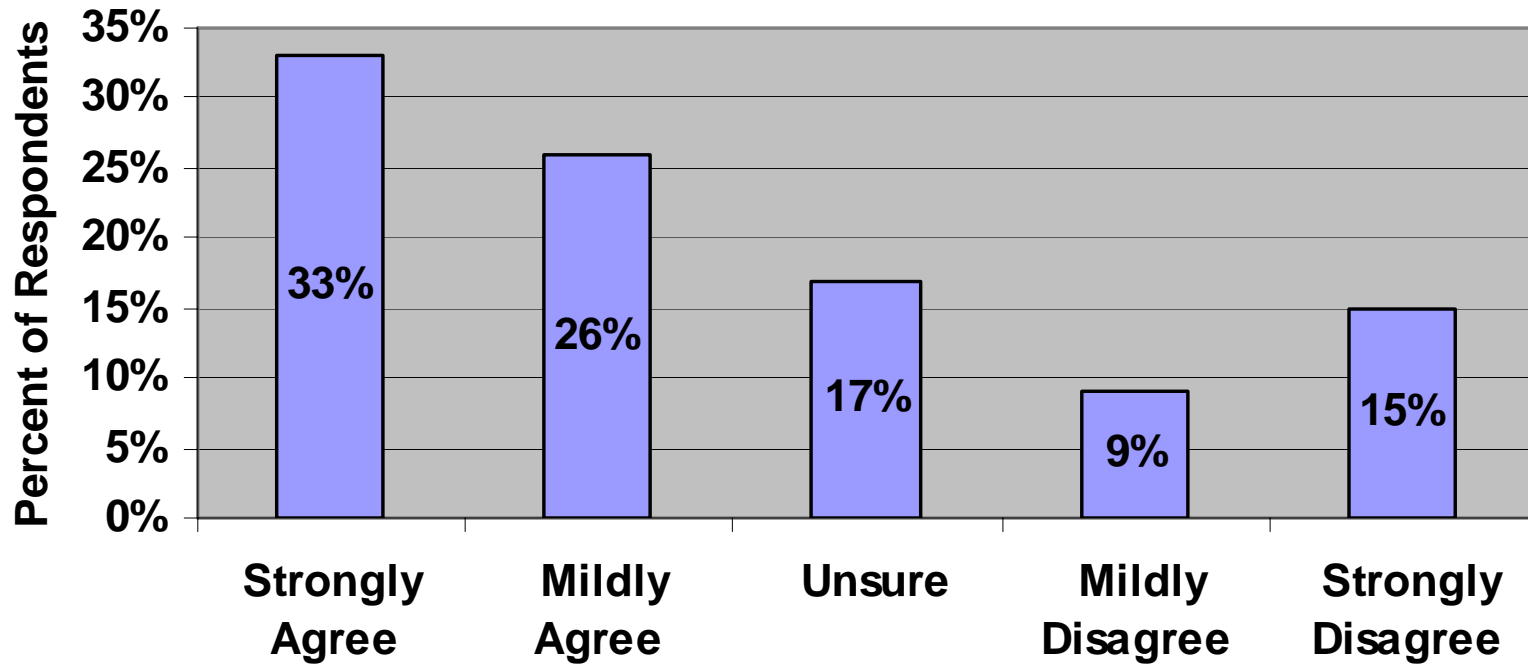
### I am supportive of bed and breakfasts in Marlow.



**I am supportive of professional offices in Marlow (ex. lawyers, dentists).**

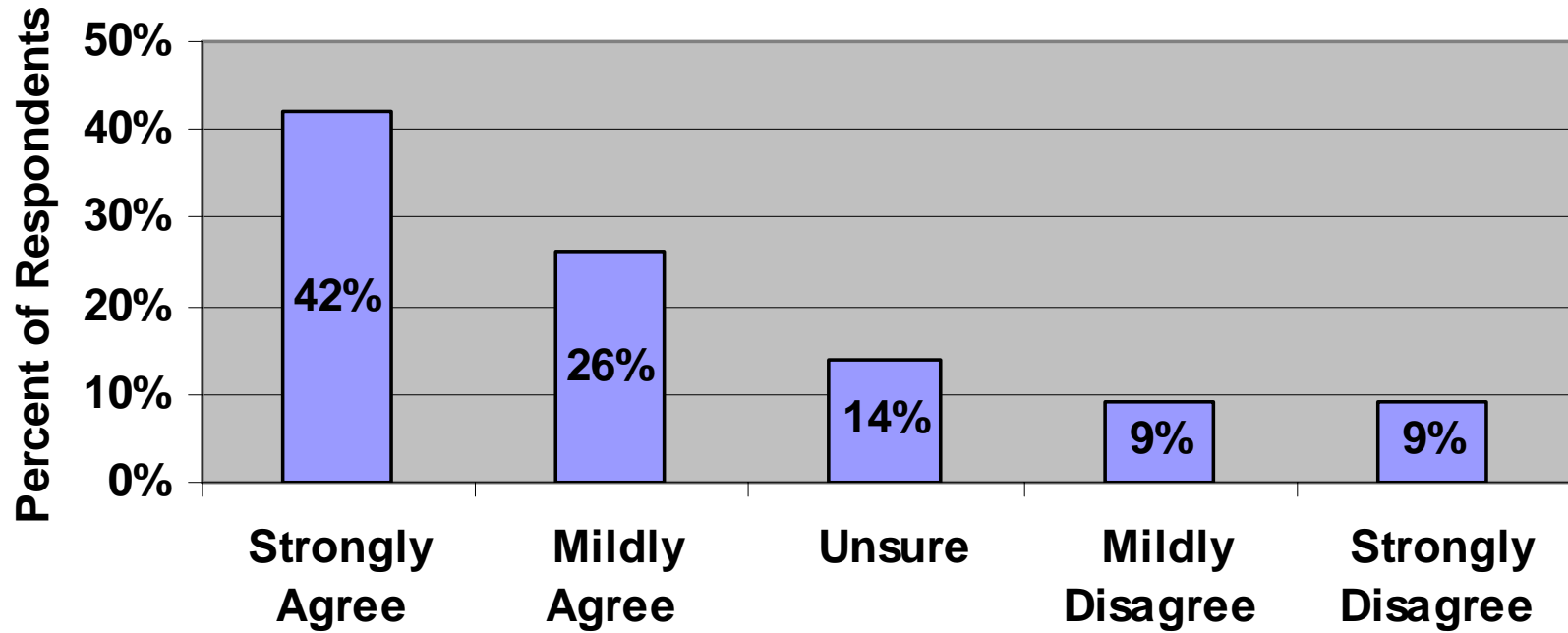


**I am supportive of campgrounds in Marlow.**

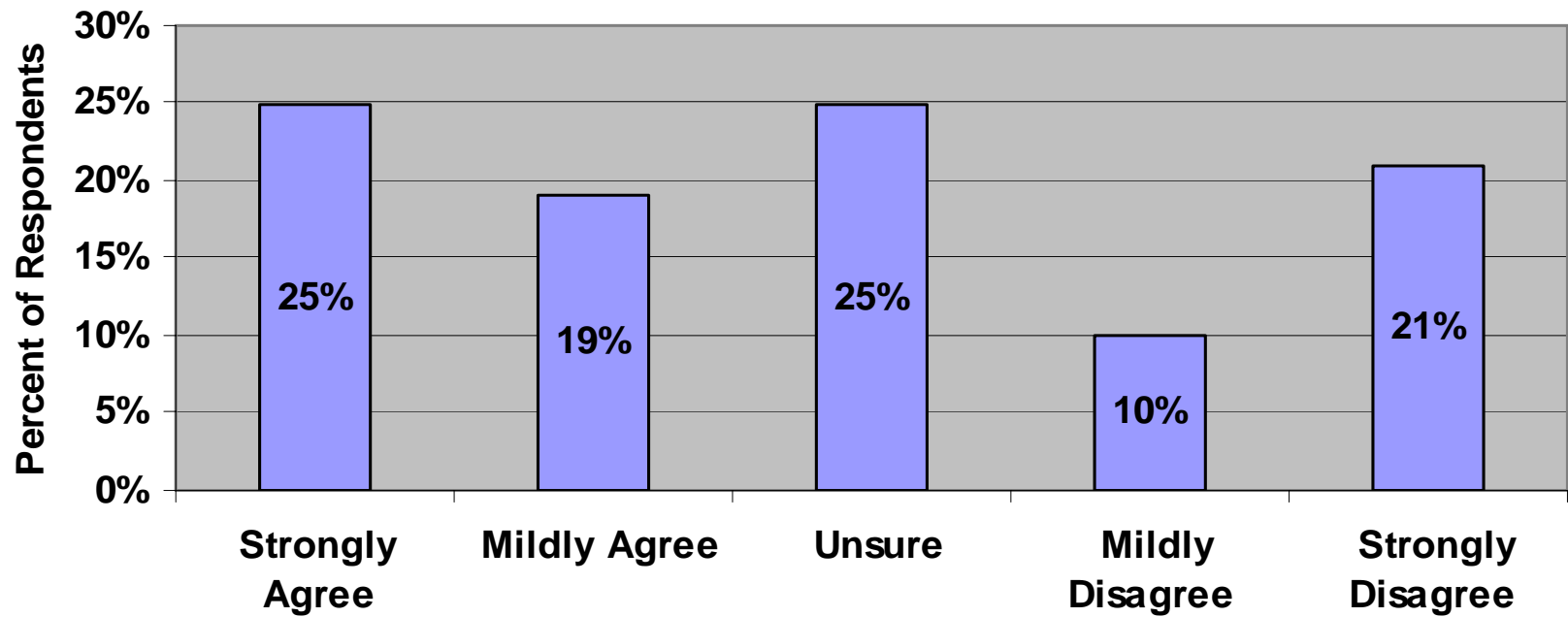


# Statewide Land Use Issues

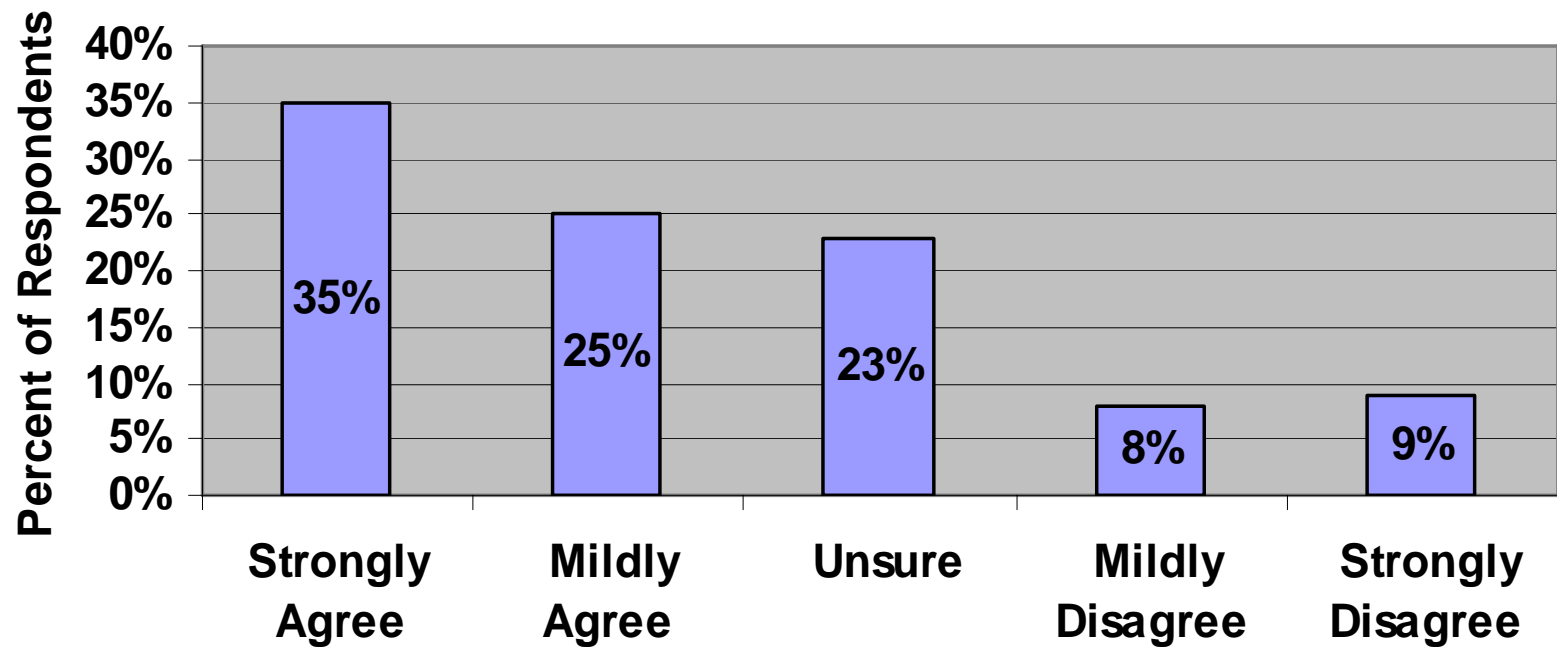
**Cell towers should be allowed only in areas that have the least visual impact.**



**I support large-scale windmill operations in Marlow.**

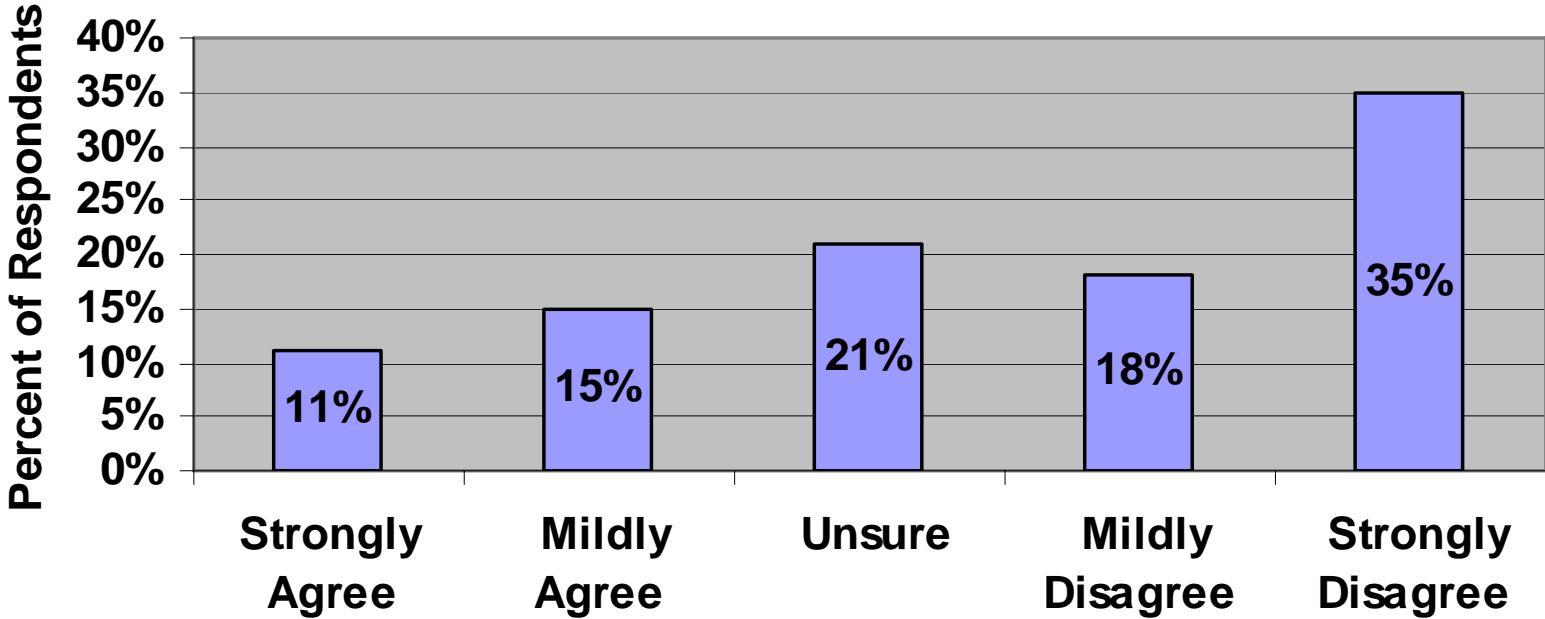


**There should be no limits as to the amount of water extracted for bottled-water operations in Marlow.**

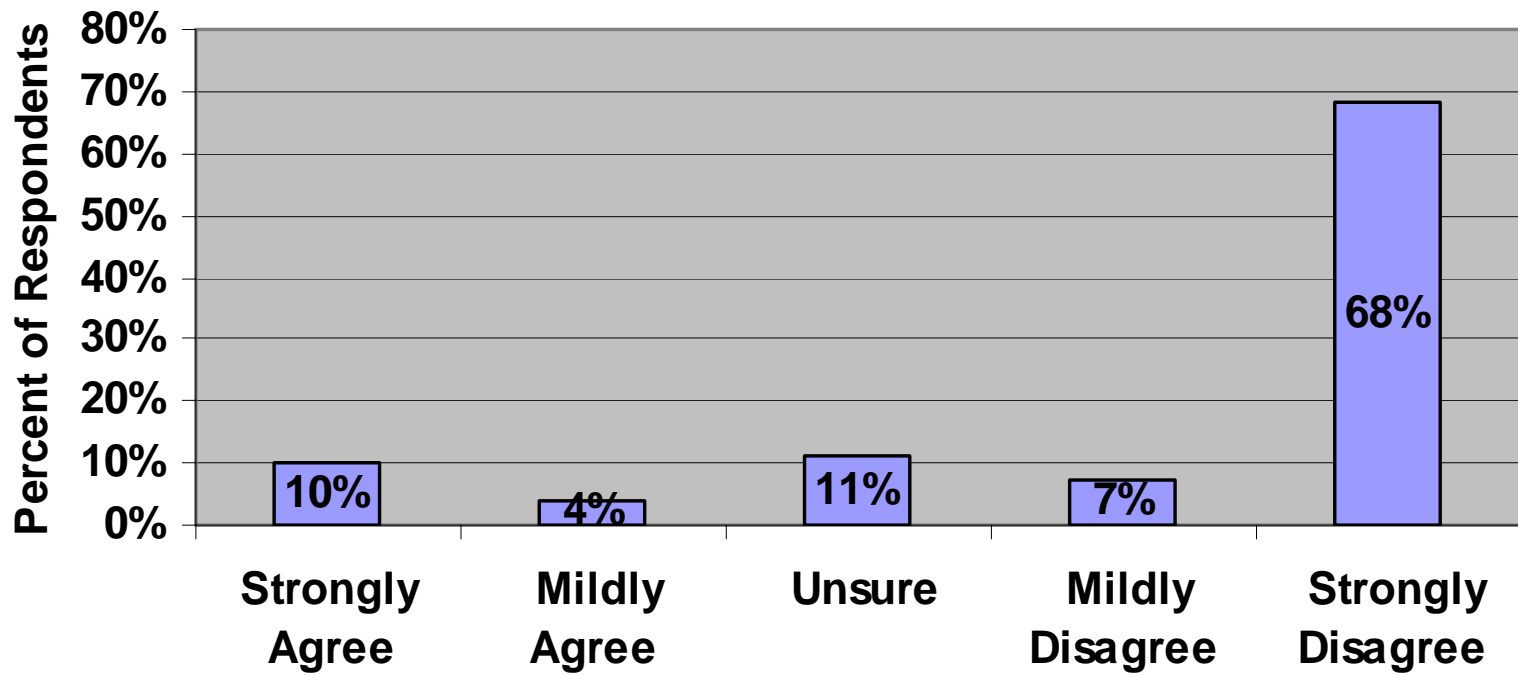




**I am supportive of large-scale mining operations,  
including gravel pit excavations in Marlow.**

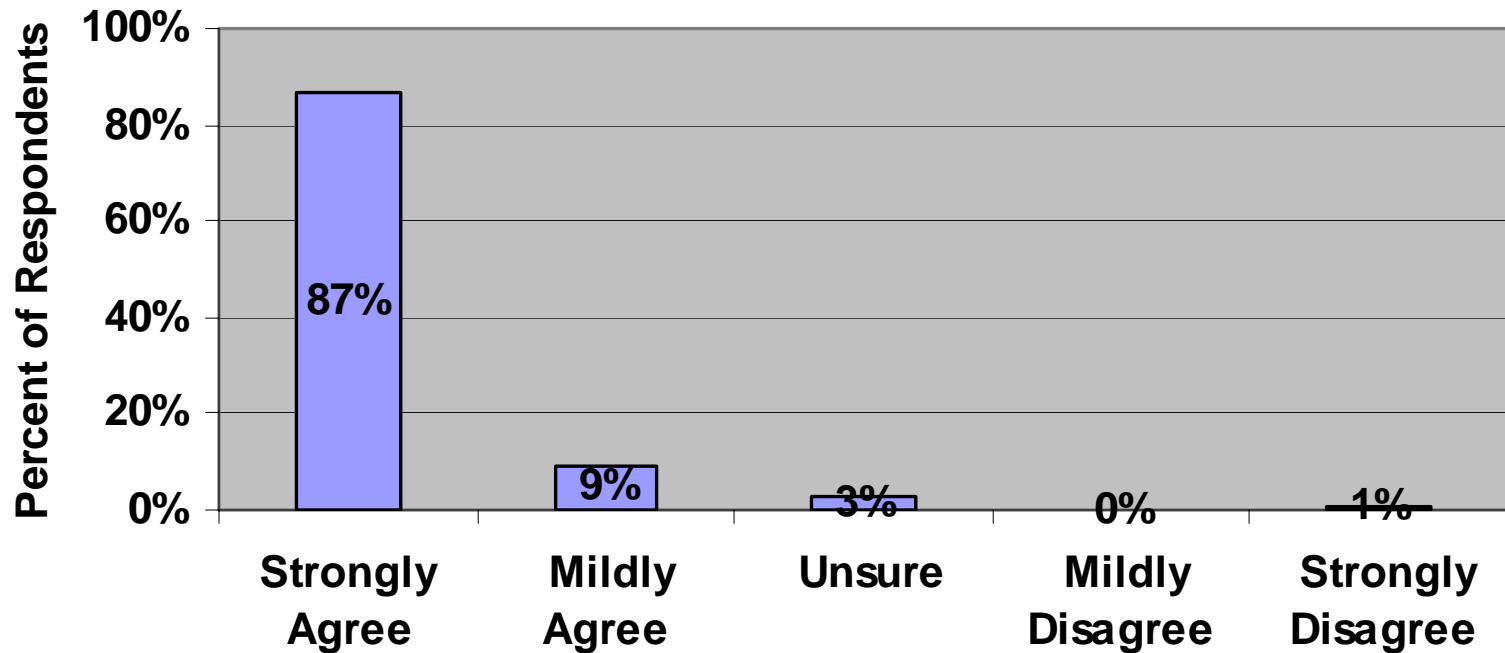


**I am supportive of prisons in Marlow.**

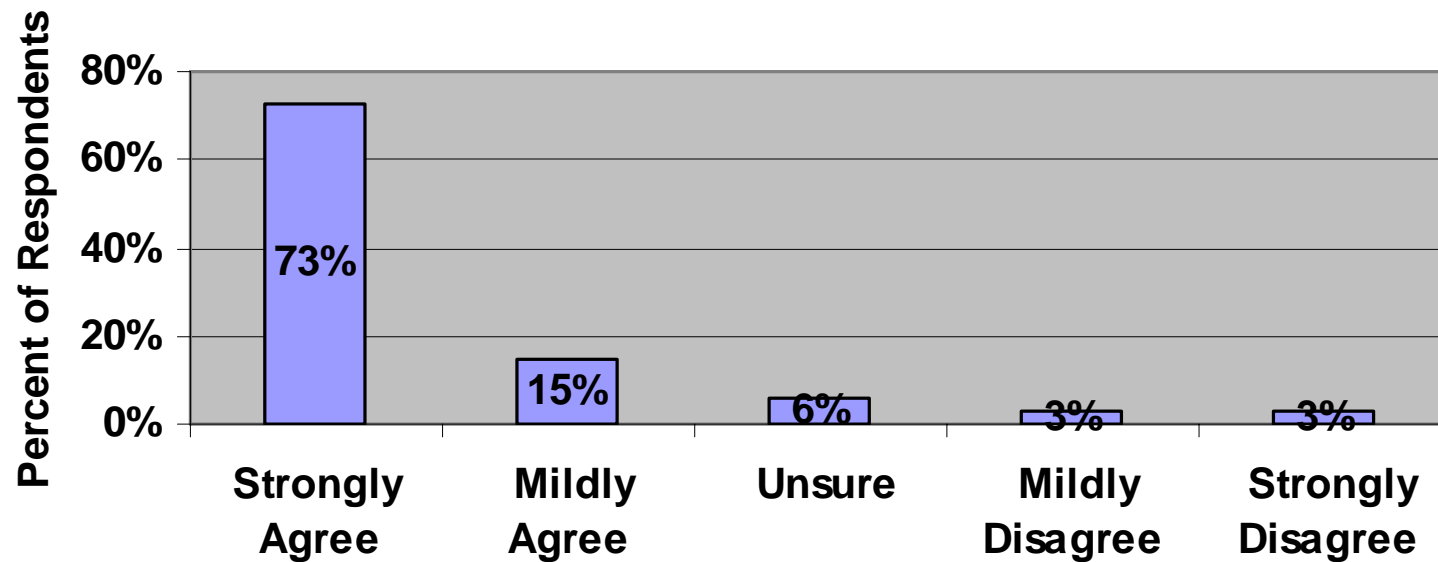


# Conservation and Historic Preferences

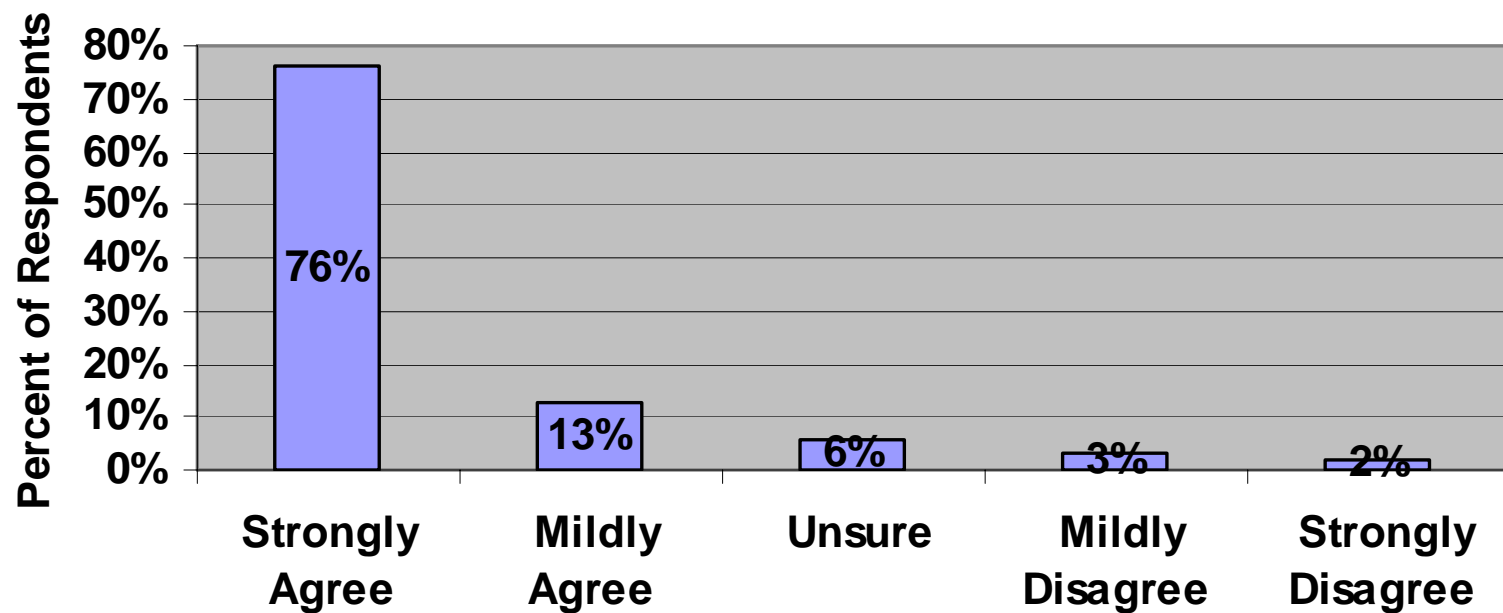
I like the open character of Marlow.



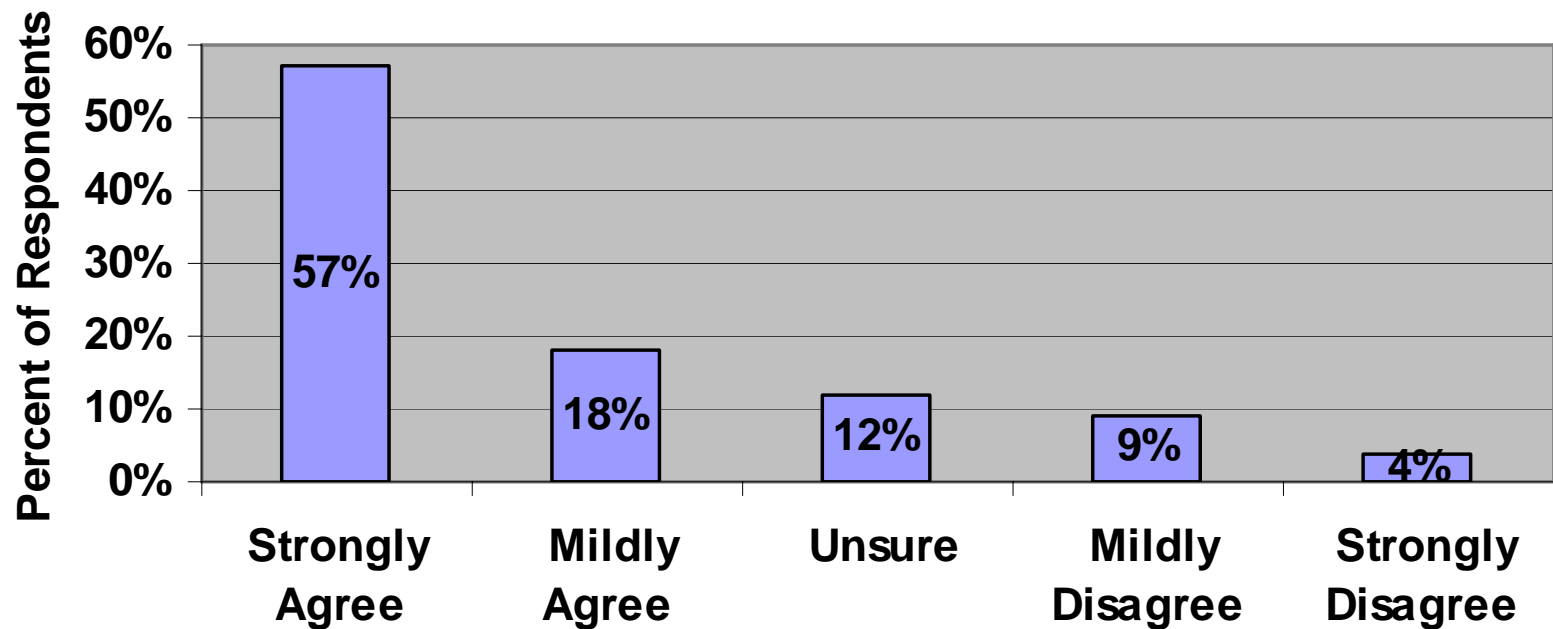
**Unique undeveloped tracts of land (ex. Grassy Brook Watershed) should be protected from development in Marlow.**



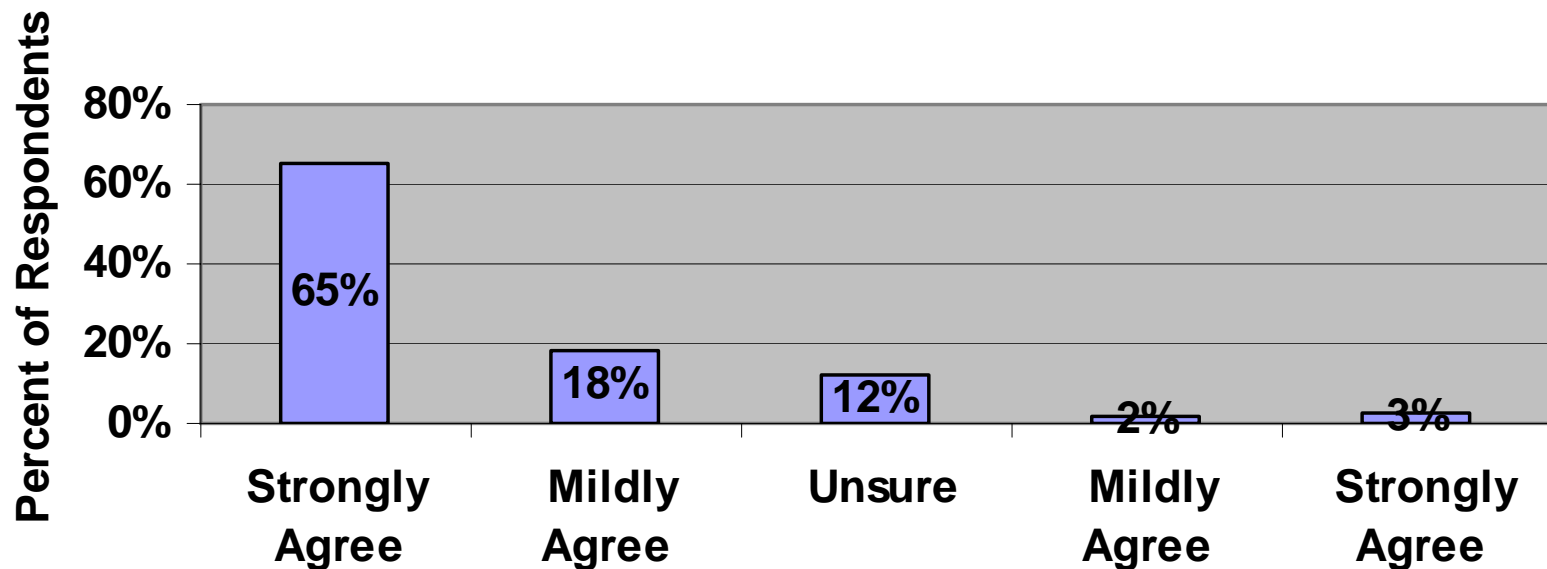
**Unique geological features (ex. Marlow Profile) should be protected from development in Marlow.**



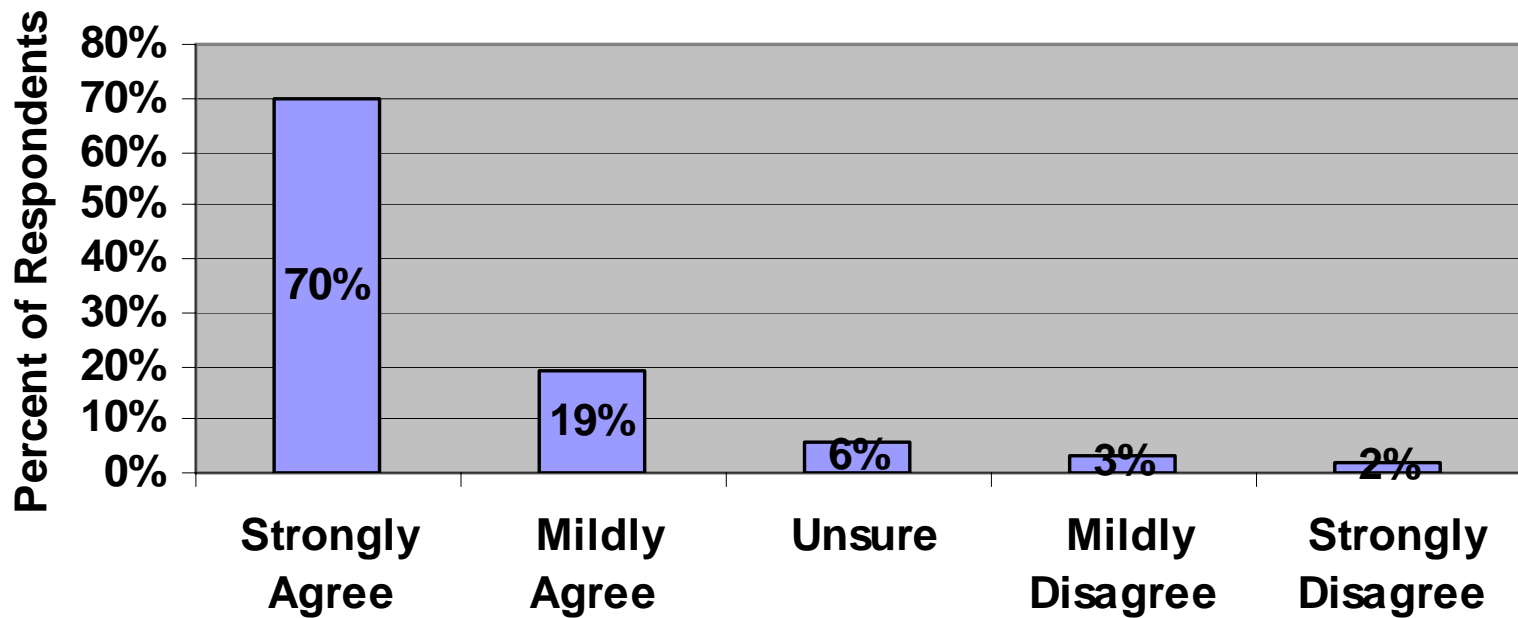
**Ashuelot River frontage should be protected from further development in Marlow.**



**Marlow should be active with the protection of unique scenic open space (ex. pursuing conservation easements with willing landowners, partnering with conservation organizations, etc.)**

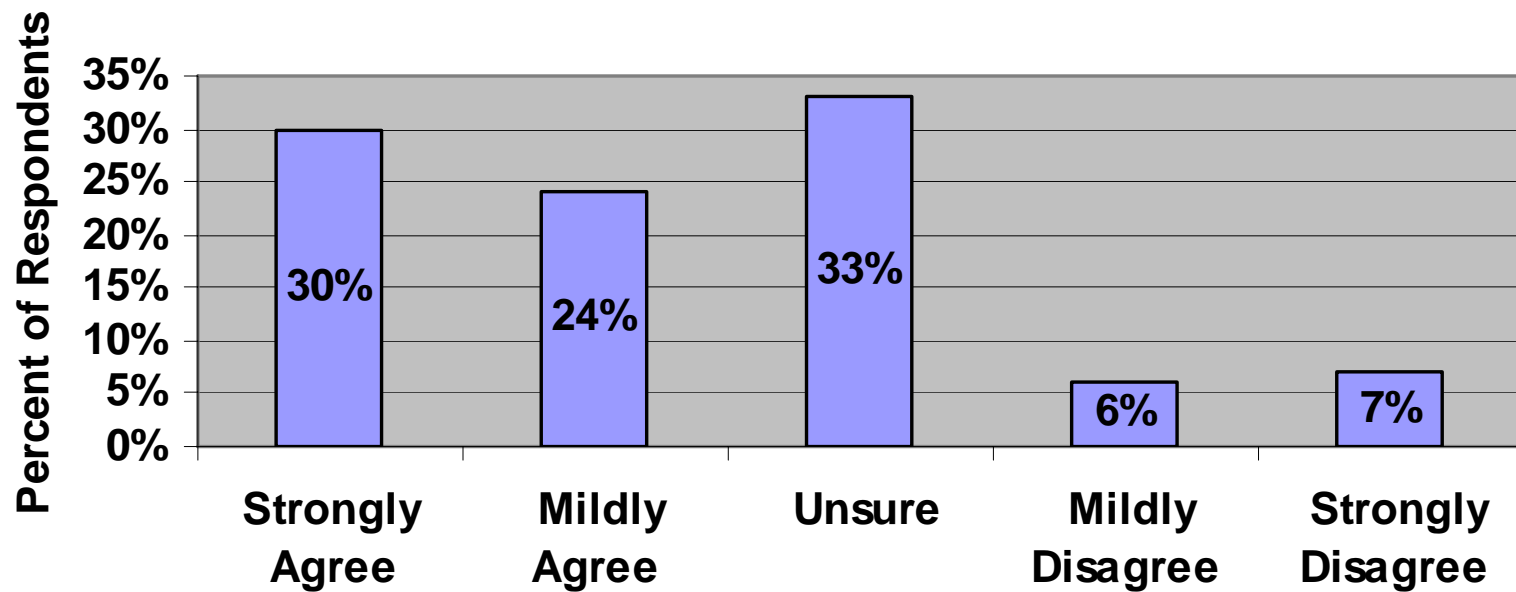


**It is important to maintain historic buildings and landmarks in Marlow.**

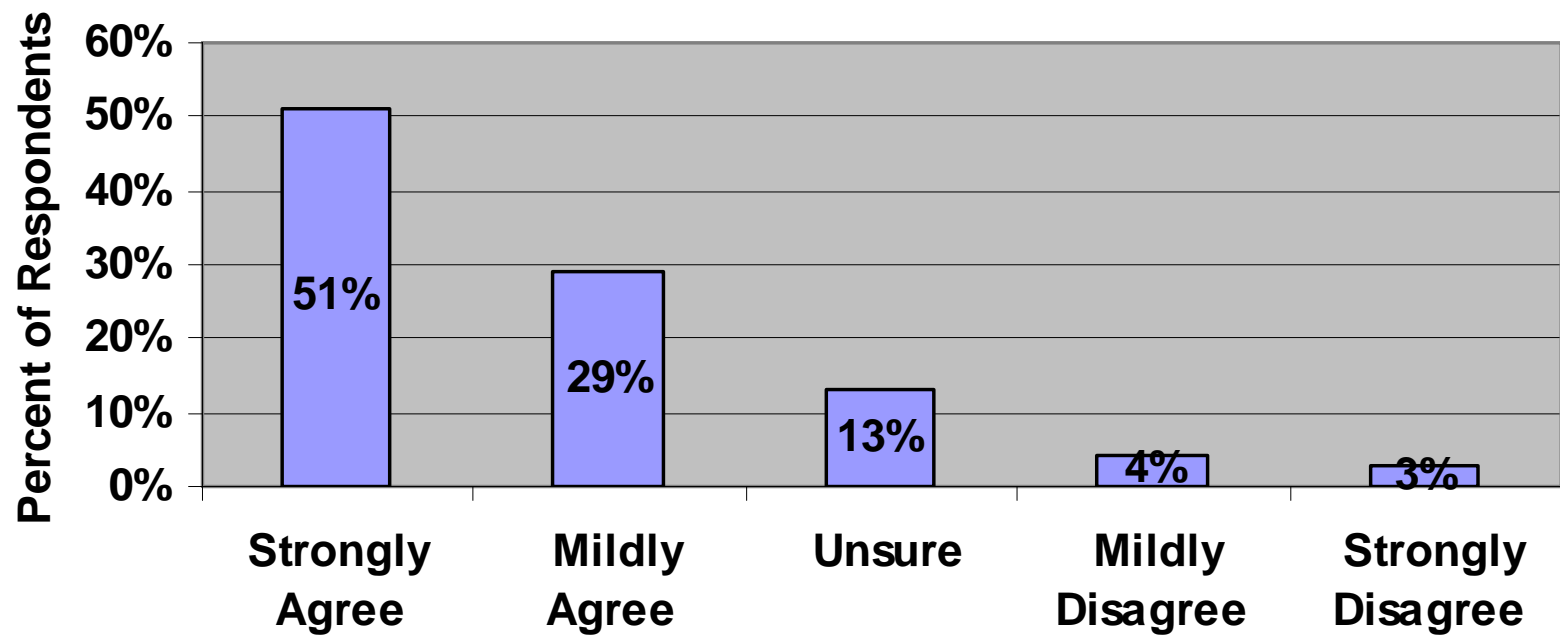




**I am willing to donate time, energy, and/or financial resources for the purposes of perserving or restoring historic buildings and landmarks in Marlow.**

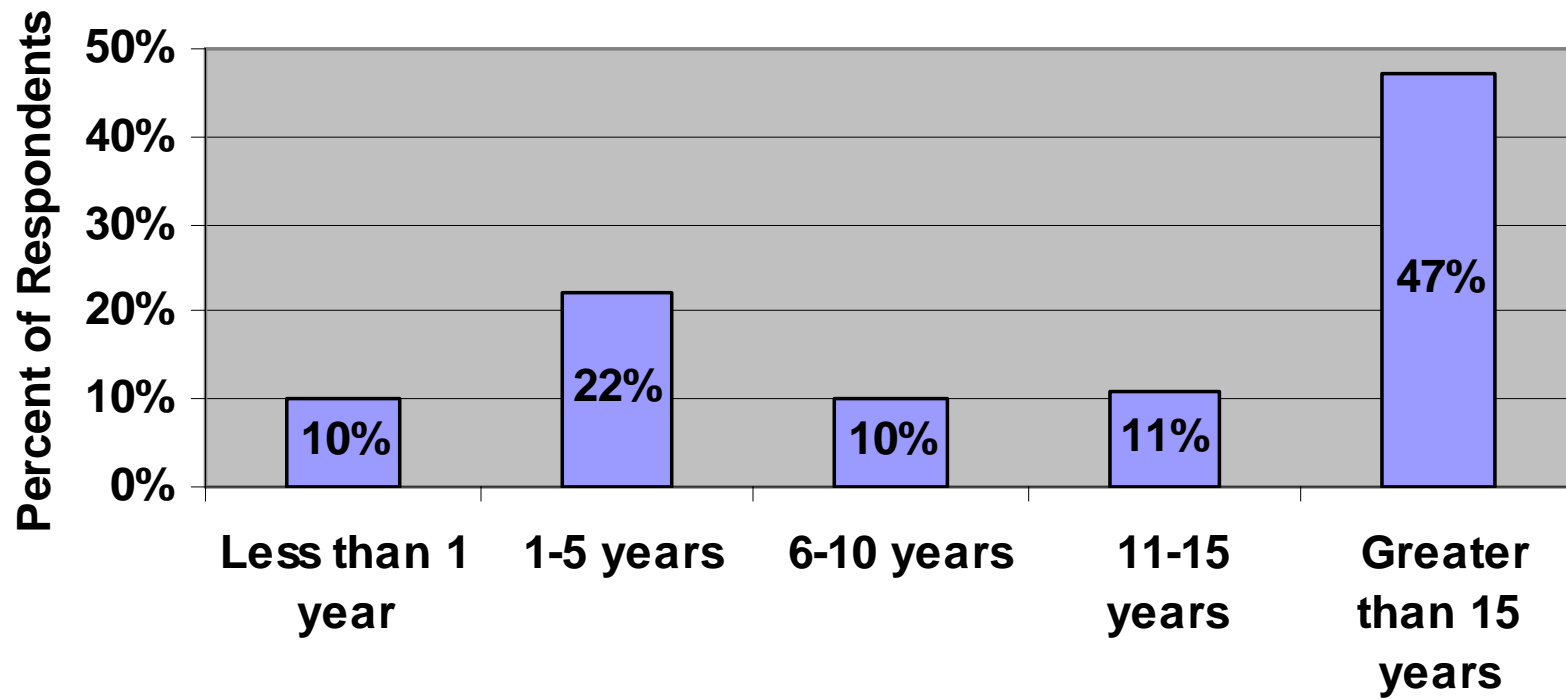


**The town should be active with the preservation and/or restoration of historic buildings and landmarks.**

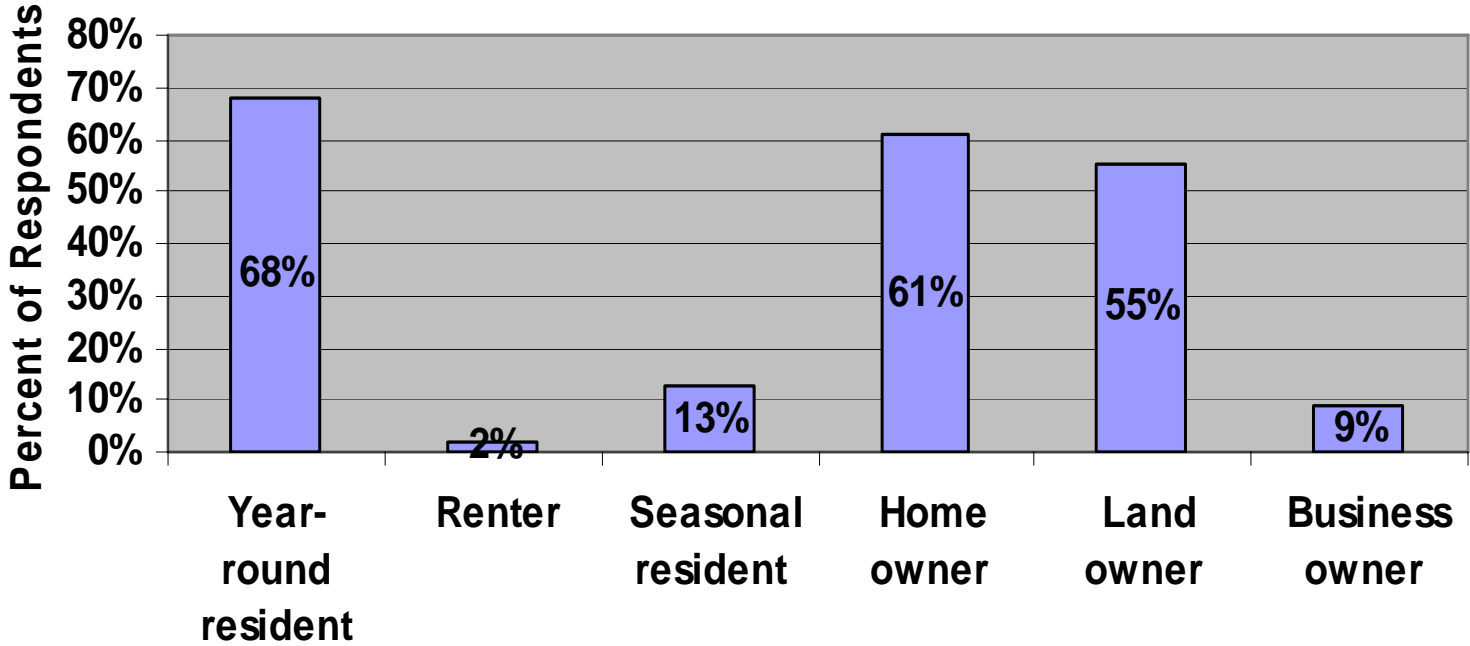


# Demographics

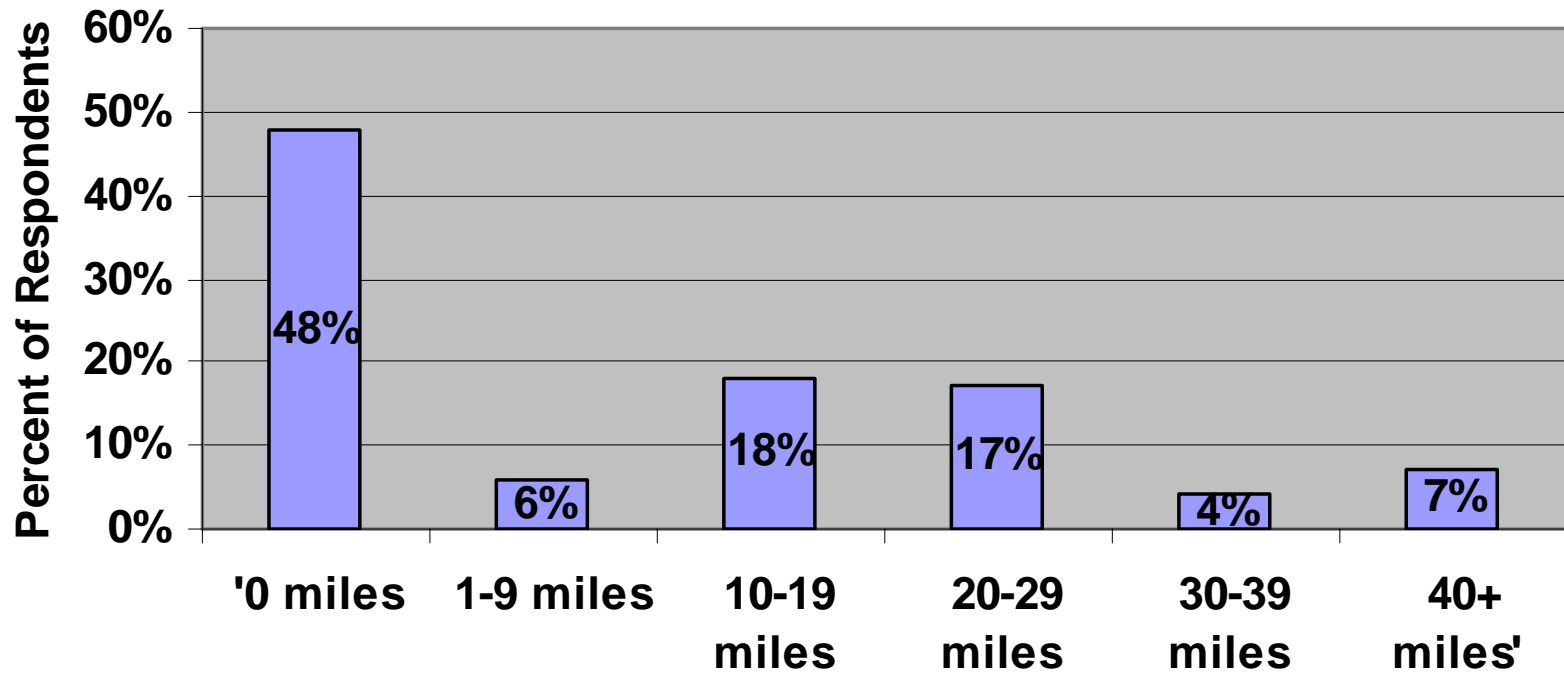
How long have you lived in town?



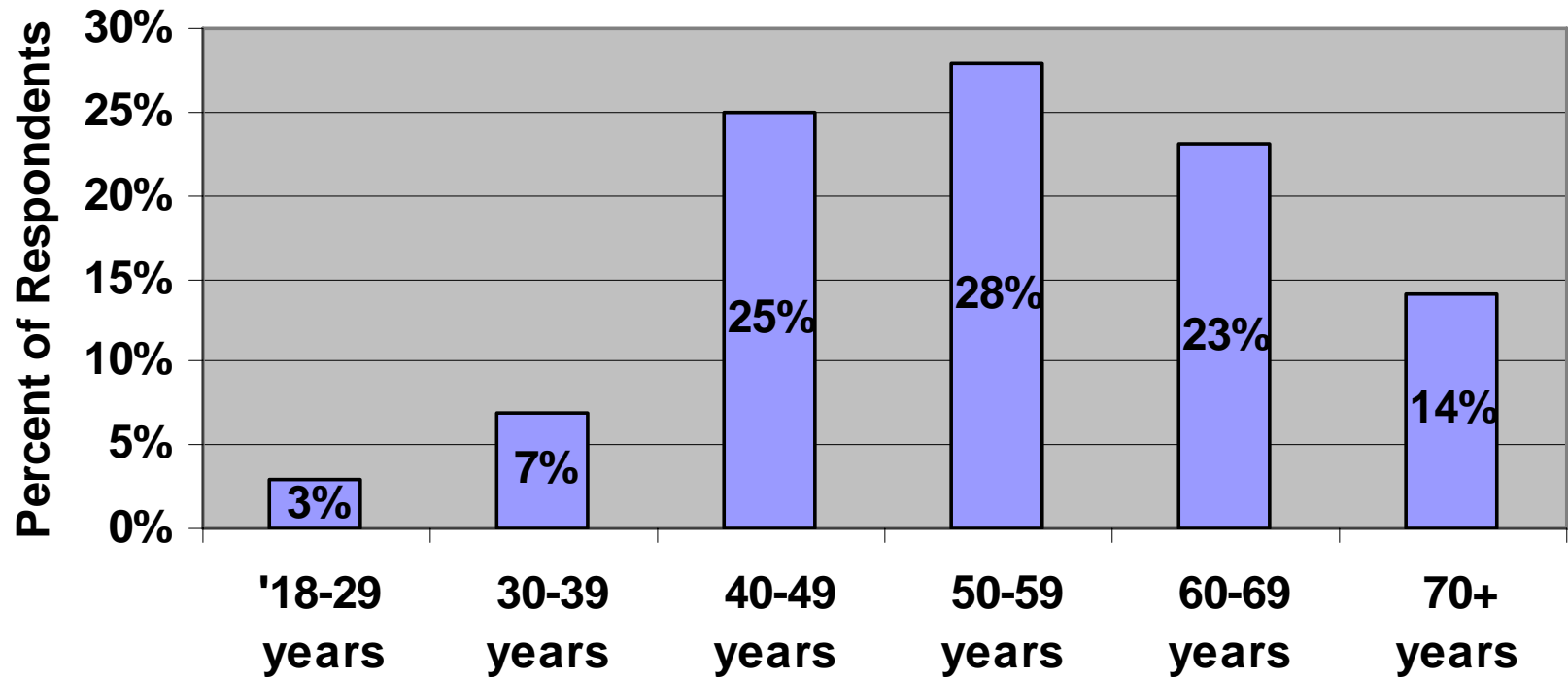
I am a...



## How far do you travel to work?



## In what age group do you belong?



## **Please provide comments related to any land use concerns you may have:**

- **6% of the respondents answered with the idea: “Stay as we are and maintain rural character.”**
- **4% suggested: “Have a long term plan or town vision to preserve the town’s charm.”**
- **Overwhelmingly, respondents who commented, suggested growth, environmental, and maintaining town character concerns.**

# Discussion

- **The expert interviews and the literature review align with the results of this study.**
- **In general, people who live in small NH towns are concerned about land use and growth issues.**
- **Forward thinking towns have enacted zoning ordinances that control growth, while trying to balance the rights of property owners.**
- **As NH shifts away from a production-driven economy to a service-based economy, it is most likely heavy industry will decline and have less of an environmental impact.**



# Conclusions

**An overwhelming majority of respondents:**

- **Agree (89%) that it is important to manage Marlow's future growth.**
- **Agree (87%) that large scale developers should be required to pay additional fees to help offset additional town services.**
- **Are supportive of small retail shops (77%) and light industry (76%).**
- **Are opposed to "Big Box" stores (84%) and fast-food restaurants (70%) in Marlow.**

## **An overwhelming majority of respondents:**

- **Agree (68%) that cell towers should be allowed in areas that have the least visual impact.**
- **Agree (60%) that there should be limits as to the amount of water extracted for bottled water operations.**
- **Have mixed opinions over large-scale windmill operations (44% support, 25% undecided, 31% don't support).**
- **Have mixed opinions as to large-scale mining operations, including gravel excavation (53% don't support, 21% undecided, 26% support).**

## **An overwhelming majority of respondents:**

- **Do not support prisons in Marlow (75%).**
- **Agree (88%) that unique undeveloped tracts of land should be protected from development in Marlow.**
- **Agree (89%) that it is important to maintain historic buildings and landmarks in Marlow.**
- **Agree (83%) that the town should be active with the protection of unique scenic open space, as well as the preservation of historic buildings and landmarks (80%).**

# Recommendations

- While the Town of Marlow's Master Plan is helpful for future planning, it is not the law. Adequate zoning ordinances should be adopted that carry out the goals presented in the Master Plan, and validated in this study.

New ordinances should be written and adopted that:

- Require large scale developers to pay impact fees to help offset additional costs of town services.
- Reasonably cap the number of housing permits issued per calendar year, based on services the town is able to provide (after collecting town service data).

## **New ordinances should be written and adopted that:**

- Sets limits on “Big Box” stores and fast food restaurants (i.e., size, location, appearance, signage).
- Identifies where cell towers should be located.
- Limits the amount of water extracted for bottled water operations.
- Adequately protects Ashuelot River frontage (towns can legally impose greater protection than state law requires).

Further research and education should include:

- Large-scale windmill operations.

- Encourage the growth of small businesses and light industry by building awareness and partnering with the Small Business Development Centers of NH ([www.sba.gov](http://www.sba.gov)), and other business support networks. Perhaps the Town Library could assist with seminars and maintaining information related to business start-ups.
- Inventory and gather community input related to unique land that should be set aside for conservation. This could be done by the Conservation Commission, or an Ad Hoc Committee. Additionally, this group should identify strategies for land acquisitions and partnerships with willing landowners.

- Develop active campaigns – labor/financial – that encourages and supports historical preservation initiatives. The data suggests community members are willing to participate on some level. Education and an effective communication plan may help in this regard.

# Thank you for your time!

## Questions?





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