STATE OF NEW HAMPSHIRE
SUPREME COURT

2018 TERM

CASE NO. 2017-0595

Trustees of Dartmouth College,

Plaintiff,

v.

Town of Hanover,

Defendant.

REPLY BRIEF OF APPELLANT TRUSTEES OF DARTMOUTH COLLEGE

RULE 7 APPEAL FROM FINAL ORDER OF
GRAFTON COUNTY SUPERIOR COURT

William L. Chapman (NH Bar No. 397)
Jeremy D. Eggleton (NH Bar No. 18170)
Orr & Reno, P.A.
45 South Main Street
P.O. Box 3550
Concord, NH 03302-3550
Tel: (603) 224-2381
wchapman@orr-reno.com
jeggleton@orr-reno.com

Bruce W. Felmly (NH Bar No. 787)
Wilbur A. Glahn (NH Bar No. 937)
McLane Middleton, P.A.
900 Elm Street
P.O. Box 326
Manchester, NH 03105-0326
Tel: (603) 625-6464
bruce.felmly@mclane.com
bill.glahn@mclane.com

Counsel for Appellant Trustees of Dartmouth College

Oral Argument Requested. Mr. Felmly will argue.

TABLE OF CONTENTS

Page

TABLE OF AUTHORITIES

Page(s)

Statutes

Cases

Regulations and Ordinances

Other Authorities

I. The IPF is consistent with the "observable character" of the I and SR Districts.

The Planning Board (the "Board") made no factual findings to support its denial of Dartmouth's application based on General Considerations C and H. The Superior Court attempted to justify the Board's reliance on those Considerations by looking only at the "observable character" of the residential SR District abutting the I District, where the IPF was to be constructed. Add. 46; D.Br. 6-23.[1] The Intervenors concede that this was error: "The area to be analyzed necessarily includes both the appellant's property and the abutters' properties." I. Br. 18. They also recognize that in applying the *Tibbetts* "observable character" test, the average person would understand that the IPF *could* be built on the 41 acre Athletic Complex but also would realize (they contend) that it "needs to be further from the zoning boundary line and situated so that it does not tower or 'loom.'" I. Br. 19. These concessions are fatal.

By comparing the IPF solely to the "character" of residential homes in the SR District, the Superior Court misapplied the *Tibbetts* test in two respects: (1) by looking only to the SR District, and (2) viewing that District as having the distinctive character identified in *Tibbetts*. The Court recognized that when looking at the I District, the Athletic Complex already included "two indoor sports facilities similar in size" to the IPF. Add. 37. Once it is conceded that the "area in question" for purposes of the "observable character" test includes the I District (and the Athletic Complex), no one would conclude that the IPF is not harmonious or consistent with the character of that area, or negatively impacts buildings that are "similar in size." And if, as the Intervenors recognize, the IPF can be constructed somewhere else in that area without violating the *Tibbetts* test, by definition it cannot then be deemed to be out of character with the abutting

[1] As cited herein, Dartmouth's opening brief will be referenced as "D. Br.," the Intervenors' brief as "I. Br.," and the Intervenors' Appendix as "I. App." As referenced in Dartmouth's opening brief, Dartmouth's appendix is cited as "A." and the Addendum to that brief (principally the Superior Court's Order) as "Add."

SR District—since that would still be the abutting district even if the IPF is moved on the site. The average person would not conclude otherwise.

The Intervenors now argue that the homes in the SR District are unique enough that the IPF would still be inconsistent with its observable character. Their rebuttal to Dartmouth's argument that the *Tibbetts* "observable character" test focuses on truly distinctive architectural or historic neighborhoods (I. Br. 17-18) misstates the law and misses the point. They claim that the case law upon which *Tibbetts* rests "does not distinguish one style of residential neighborhood from another," and thus that "[a]ll of the single family homes in Hanover" are worthy of protection as a "New England Village." *Id*. 17. If this were the test, no commercial or educational structure could ever be constructed adjacent to any residential neighborhood in New England. And the Intervenors are wrong; the *Tibbetts* line of cases does require a distinctive character to supply definition to vague regulations like those relied on by the Board. Dartmouth's point is in no sense "elitist." *Id*. 18. The Tyler and Chase Road neighborhood has lovely homes, but there is no historic or architectural distinctiveness sufficient to supply "observable character." Because the average person viewing both Districts together could not conclude that the IPF is not harmonious or aesthetically pleasing or negatively impacts that area, the General Considerations, as applied by the Board, remain vague and arbitrary.

Because their concessions eliminate any reliance on *Tibbetts*, the Intervenors were forced to put forward a new rationale or test to explain why the average person would somehow understand that the IPF is out of character with its surroundings at the current location. They contend (without citing any evidence or case law to support this new theory) that the structure of Hanover's Zoning Ordinance ("HZO") requires—and Dartmouth's existing construction on the Athletic Complex confirms—that as use of property in the I District moves closer to the "farthest

edge" of that District, the use must lessen in "intensity." I. Br. 4-5,15-16,18-19. And for this specific site, they claim that any average person would see that as one moves east "the buildings end and [Dartmouth's] uses change to a series of athletic fields—the very definition of open space" *Id*. 18. The apparent reason for this alleged "west to east development" or "edge of the district" requirement is to prevent large buildings from impacting the Intervenors' residences.[2]

This new test is created from whole cloth. It is also flatly contradicted by specific provisions of the HZO. Whatever the Intervenors think the HZO requires, the Board Staff saw no such requirement, nor has the Town of Hanover advocated for such a rule; indeed, it has not participated in this appeal. The Intervenors admit that the IPF satisfied all of the General and Specific Requirements of Hanover's Site Plan Regulations and the HZO (D. Br. 7-8) and the Board members also recognized that the IPF complied with the HZO. *Id*. 11-12.

Most important, regardless of claims regarding the *structure* of the HZO, the specific *provisions* of the HZO *do* take into account concerns at the edge of the I and SR Districts, and do so in a way that provides an objective basis to the average person that this building, at this location, is entirely consistent with the HZO and the character of the neighborhood. Precisely to address the issue of building size and to provide a buffer with adjoining residential districts, Section 405.06 of the HZO establishes a 150-foot setback for buildings of 60 feet, which the IPF satisfied. D. Br. 6, 20-21.[3] The obvious purpose of that Section is to prevent a building from

[2] Before the Board, recused Vice-Chair Kelly Dent conceded that the neighbors were "not asking the Board to deny the building based on its aesthetic impact to our neighborhood," but that the harm caused by the IPF was because it is "absolutely enormous." I. App. 216. Here, the Intervenors do not elaborate on what they mean by "intensity" at the edge of the I District, but their brief is replete with references to the size of the IPF including "massive," "tower over," "tower and loom," "imposing and incongruous." Apparently it was, and again is, their strategy that repetition of this hyperbole would influence the Board members—and this Court—to find that the IPF is not "harmonious" with the surroundings or has too great an "impact" on the neighborhood.

[3] The standard in other districts is a 20-75 foot setback for a 60 foot building. Thus, §405.06 not only provides a buffer, it is also more protective of residential areas than the HZO as applied in other areas. And in addition to meeting the standards in §405.06, Dartmouth provided "landscape screening consist[ing] of dense clusters of coniferous trees (Hemlock and Spruce) designed in coordination with the abutting neighbors." A. 410.

unduly impacting neighbors (or perhaps "looming") by ensuring sufficient light and open space. The Intervenors' new test purports to depend on the HZO, but § 405.06 provides specific objective requirements at the edge of the I District, and Dartmouth complied with those requirements. This destroys any claim to some special "Tyler/Chase Road/Athletic Complex" buffer and open space requirement in the HZO beyond what is *already* provided for in § 405.06.[4]

The Board members confirmed this purpose for §405.06 and plainly recognized that there was no objective way to deny this application based on the HZO. They also saw nothing in the pattern, structure or provisions of the HZO that prevented the IPF at this site. Chair Esmay stated: "It [the IPF] complies with every dimensional requirement imposed by our ordinance, which includes a buffer zone *for precisely this situation*, a college building on a property abutting a residential property." A. 531 (emphasis added). Member Sim also reminded the Board that the HZO dealt with situations where the I District abuts a residential zone by establishing "what might be called a buffer zone," by limiting height and requiring setbacks. A. 535. He stated that the HZO was the "yardstick to measure all applications" and that the IPF "meets the zoning ordinance," every word of which "has been approved by citizens of this town," and could be amended by them if, "as a tool for th[e] Board, it is inadequate." A. 535-37.

The Intervenors' attempt to fashion some special buffer or "no build" zone from the HZO to satisfy the observable character test or provide clarity to the General Considerations is thus

[4] Notwithstanding that the IPF satisfies clear, objective standards relating to a situation where a building abuts a residential neighborhood, the Intervenors contend that Dartmouth's failure to locate it elsewhere on the Athletic Complex provided a reason for denial. I. Br. 31. They cite the Superior Court's Order (Add. 50) where the court claimed that Dartmouth had been unwilling to reduce the size of the building or relocate it. This misstates the record. The record demonstrates that Dartmouth made multiple changes to the building at the suggestion of the Intervenors and the Board (including lowering the height and adding planting for buffer). *See e.g.* D. Br. 7. The sole evidence in the record is that it was not feasible to relocate the building on site and that Dartmouth had located the IPF "as far south and west as possible to avoid the 150 foot buffer" and to "tak[e] advantage of the existing screening between the site and the neighborhood." A. 259. The Board did not cite the failure to move the location as a basis for denial (other than Carter's assertion that she wished it would be, A. 529), and there is nothing in the record—and no findings of fact by the Board—to support a denial on this basis.

meritless. Would the average person conclude that a building at the edge of the I District "looms" or "radically disrupts open space" when it also complies with the objective standards developed by Hanover to address, as Chair Esmay notes, "precisely th[at] situation"? The Board Members did not think so, and thus were left with only their personal feelings as a basis to deny the application. This is the very essence of prohibited *ad hoc* decision-making.

II. The Board made no findings that could be entitled to deference by this Court, nor does the record provide any other objective basis on which to deny the Application.

The Intervenors devote substantial space to case law supporting the principle of deference to the findings of fact of planning boards and argue that there was evidence in the record other than the General Considerations to support the denial. I. Br. 12-14, 27-31. But *this* Board failed to identify any such findings to support its vote, which was based on personal feelings. D. Br. 16-18. Accordingly, there are no findings deserving of deference.

Citing to statements from the Board about blocked views, shadows, and "scope and scale," the Intervenors claim that the members were entitled to rely on their personal observations gained from site visits. I. Br. 27-31. But each of these matters is dependent on the size of the building. A denial based on size alone, and where the IPF complied with the only *objective* criteria (HZO 405.06) that addressed that issue (and every site plan regulation as well) substitutes purely subjective feelings for objective standards. More important, *none* of the Board members offered any facts to support their stated *feelings* on these issues, nor do the Intervenors offer any in their Brief, which simply repeats their statements.

Specifically, none of the Board members relied on the site visits as providing facts sufficient to deny the application. D. Br. 26-29. The Intervenors quote at length from the statements of Member Sim at the December hearing (while also omitting key portions of those statements). I. Br. 29. Sim did reference the site visits as "instructive" on three issues, "sound,

light and property values." A. 493, 539. But he concluded from the visits that: Dartmouth had found a way to mitigate sound from the IPF (A.540); light pollution from the building had been reduced; there was no way to measure the impact of shading from the IPF versus trees (A. 543),[5] with respect to property values, he "did not find the data strongly compelling either way." A. 544.[6] (For the statements of the other Board members, none of whom relied upon the site visit to deny the application, see D. Br. 11-12 and A. 1910-13; 1929-31.)

III. Ms. Dent's interpretation of Dartmouth's shadow study cannot provide a basis for the Board's denial or the Superior Court's affirmance of the Board's ruling.

The Superior Court affirmed the Board's denial by ruling that the Board had objective evidence sufficient to find that the IPF would block sunlight by casting shadows on several of the abutters' homes for short periods during some months of the year. This finding was essential to the court's determination that "objective and discernable standards" were the basis of the Board's denial, rather than personal feelings, beliefs, or biases. Add. 10-13. Recognizing this lynchpin of the Court's decision, the Intervenors now attempt to sidestep the complete failure of the Board members to rely upon blocked sunlight, suggesting instead that the Board "failed to credit" the shadow evidence, and attempting to explain the Court's analysis as instead grounded on a reduction of the "view of open space." The attempt to transform the specific findings of the Court about Ms. Dent's shadow calculations, and the supposed 10% loss of sunlight on the

[5] In their recitation of Sim's statements, the Intervenors leave out the following statements by Sim (after the word "concern" in the third line): "Now to their credit, the applicant has certainly done very extensive studies on this topic. The roof structure shape was changed, maybe not specifically with shading in mind, but I think that may help reduce some of the shading. What we also have to recognize is that there is some existing shading probably caused by the existing trees, which are already quite tall and will continue to grow, I hope, in some respects for many years to come." A. 542-43.

[6] The Intervenors also omit Sim's conclusion that "[e]vidence is being brought by both the applicant and the abutters to prove their contentions, but either it would not, or it would reduce—result in reduced property values, I have to say I didn't find either sets of data particularly compelling either way." A. 544. None of other members mentioned property values as a basis for the decision.

homes from blockage by the IPF into a vague, subjective assessment of off-site neighboring "views," does not square with its Order, and would be the best example of vague, ad hoc criteria.

The Intervenors' argument that the shadow study was flawed by Dartmouth's failure to account for the types of trees and foliage present in winter is baseless. As documented below, Dartmouth specifically surveyed the number, size, and species of trees to assure the shadows shown on the animation were accurate and provided that submission to the Board. The actual portrayal of shadows cast by the IPF was scientifically calculated and based on the position of the sun in relation to the location on specific dates. There is no dispute about these calculations. Indeed, Ms. Dent employed that data in her shadow table on which the court relied. Add. 48; A. 370-75. The discrepancy occurred when Ms. Dent then unilaterally altered the data by ignoring any shadow on the homes cast by trees, which she backed out of her presentation. A. 367-75; D. Br. 9 n.5. The Intervenors now claim her removal of tree shadows was justified as a better representation of winter conditions. I. Br. 26.

This claim is completely at odds with the record. In fact, Dartmouth explained to the Board that for the shadow study, "the trees on Dartmouth College's property were surveyed for height and if they would have foliage during the winter so they could accurately be depicted in the animations." A. 363. This representation was proven and documented to the Board in Dartmouth's comprehensive October 20, 2016 submission of data, which provided precise detail as to the trees that would be preserved along Tyler Road, including a supplemental plan and tabulation at Exhibit 2 which was "prepared to inform and accompany the August 30, 2016 solar studies …" A. 425. Exhibit 2 depicts the location, height, size, and the species of each existing tree bordering the IPF location (including the extensive presence of evergreens providing winter screening) and documents the fact that the shadow study properly accounted for seasonal foliage

issues (Exhibit 2 is found at A. 437, however a larger and more convenient copy is provided to this Court as a supplemental addendum attached hereto).

Ms. Dent was wrong about the winter foliage; the animation is in fact accurate as to the shadows, and the minutes of shading from the IPF are indistinguishable from existing tree shadow. As a result, the Court relied on clearly inaccurate information in attempting to identify an objective and discernable basis for affirming the Board decision.

IV. Recused Board Vice-Chair Dent's arguments to the Board directly contributed to its ad hoc decision-making.

The Intervenors miss the point of Dartmouth's concern regarding recused Vice-Chair Kelly Dent's advocacy. While her recusal was mandated by RSA 673:14, I, Dartmouth does not dispute that as an abutter, she had a right to present her concerns regarding the impact of the IPF on her property. Yet her recusal was not limited to mere abstention from a formal vote on the proposal, and she dramatically called upon the Board to base its denial on vague and ad hoc feelings. Thus, her actions and communications with the Board are relevant.

The New Hampshire Municipal Association ("NHMA") and the New Hampshire Office of Strategic Initiatives ("OSI") have both provided guidance to municipal officials regarding recused members, strongly cautioning against their participation on the matter on which they are conflicted.[7] At the heart of this concern is the reality that what the recused member says or does can obviously influence the members of the board—as it plainly did here.

> If an official does recuse him-or herself, how should they behave at that point? It is critical to note that simply saying "I recuse myself" is not enough. The official must take steps to make the recusal effective. Literally, the official should

[7] C. Christine Fillmore, New Hampshire Municipal Association (New Hampshire Town and City Magazine), *I Recuse Myself* (July/Aug. 2013), available at https://www.nhmunicipal.org/TownAndCity/Article/522; New Hampshire Office of Strategic Initiatives, *The Planning Board in New Hampshire: A Handbook for Local Officials*, App. G: How to Be a Good Board Member, at G-3, ¶ 9 (December, 2017).

> immediately leave their seat at the board table, and preferably, leave the room until the board moves on to the next subject.

Fillmore, *I Recuse Myself, supra* n.7. When a recused member has a personal basis for presentation to the board, such as abutter status, the risk that board members will be influenced by what that qualified member says, or how he or she says it, is real. As this Court stated in related context in *Winslow v. Town of Holderness Planning Board*, "… mere participation by one disqualified member [is] sufficient to invalidate the tribunal's decision because it [is] impossible to estimate the influence one member might have on his associates." 125 N.H. 262, 268 (1984).

The Intervenors argue that Ms. Dent's conduct and presentations were legally authorized, enabling her to "speak out against the appellant's proposal and to present adverse impacts to her home." I. Br. 2. However, even crediting that argument, her advocacy far exceeded the role the Intervenors describe and powerfully influenced the personal feelings of the Board members. It was Ms. Dent who encouraged them to apply the vague General Considerations and the Master Plan that the Board ultimately used as a basis for its denial. Indeed, she told them that they had a "legal obligation" to do so. The claim that Vice-Chair Dent's efforts did not improperly influence the Board (I. Br. 2) thus ignores both the factual context and the record. Specifically, Vice-Chair Dent:

- Presented on multiple occasions to the Board, assuming the role of leading the opposition to the application. I. App. 116-17 (June 21, 2016); *Id*. 68-73 (April 25, 2016); *Id*. 114 (June 14, 2016); *Id*. 56 (September 20, 2016); *Id.* 186-88 (Summary of Arguments Prepared by Kelly Dent, undated).

- Did not limit her presentation and arguments to the Board to setting out the claimed impacts on her property. In multiple statements and writings, she supplied her opinions on zoning and planning law and procedure, repeatedly predicting the harm the project would cause to the Town as a whole, claiming that approval of this decision would cause permanent damage and gave notice that, if the Board approved Dartmouth's application, it would open the door to the College building whatever structure they wanted, throughout the Town. As she put it to the Board: "*Sure the IPF is legal*, but it pushes the boundaries of the Zoning Ordinance. If this is approved, it will put the rest of Hanover on notice – so long as Dartmouth

> meets the minimum standards set out in the Zoning Ordinance, the College can and will place whatever structure they want as close as possible to our homes.

Id. 417 (emphasis added).[8]

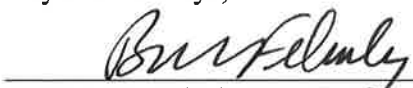
Taken as a whole, the Vice-Chair's presentations to the Board are not those of a disqualified town official presenting factual information about her property. She lays at the Board's feet the future of development by Dartmouth in Hanover, the threat of extreme permanent harm, and urges the Board to sidestep the clear compliance of the project with zoning and site regulations, setting up the vague General Considerations and the Master Plan as the procedural vehicles to kill the project. There can be no doubt that this influenced the personal feelings and beliefs of the Board members.

Respectfully submitted,

Dated: May 14, 2018

TRUSTEES OF DARTMOUTH COLLEGE

By its attorneys,

By: 

Bruce W. Felmly (NH Bar No. 787)
Wilbur A. Glahn (NH Bar No. 937)
McLane Middleton, P.A.
900 Elm Street, P.O. Box 326
Manchester, NH 03105-0326
Tel: (603) 625-6464
bruce.felmly@mclane.com
bill.glahn@mclane.com

William L. Chapman (NH Bar No. 397)
Jeremy D. Eggleton (NH Bar No. 18170)
Orr & Reno, P.A.
45 South Main Street, P.O. Box 3550
Concord, NH 03302-3550
Tel: (603) 224-2381
wchapman@orr-reno.com
jeggleton@orr-reno.com

[8] Ms. Dent's legal and procedural arguments were also set forth in her counsel's letter of August 9, 2016 to the Board, urging the Board to refuse to accept Dartmouth's application (I. App. 139-144), and in a Memorandum of Law filed with the Board on Ms. Dent's personal behalf on September 27, 2016. I. App. 171-78.

CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2018, I served the foregoing REPLY BRIEF FOR APPELLANT TRUSTEES OF DARTMOUTH COLLEGE by mailing two copies thereof by first class mail, postage prepaid, to the following counsel of record:

TOWN OF HANOVER

Laura A. Spector-Morgan, Esq., NH Bar No. 13790
Mitchel Municipal Group, P.A.
25 Beacon Street E. #2
Laconia, NH 03246

INTERVENORS

David W. Rayment, Esq., NH Bar No. 2110
Cleveland, Waters and Bass, P.A.
Two Capital Plaza, 5th Floor
Concord, NH 03302

Nina W. Lloyd, Esq., NH Bar No. 1497
9 Tyler Road
Hanover, NH 03755
(603) 491-0449
nina.lloyd@comcast.net

Bruce W. Felmly

STATE OF NEW HAMPSHIRE
SUPREME COURT

2018 TERM

CASE NO. 2017-0595

Trustees of Dartmouth College,

Plaintiff,

v.

Town of Hanover,

Defendant.

SUPPLEMENTAL ADDENDUM TO REPLY BRIEF OF APPELLANT TRUSTEES OF DARTMOUTH COLLEGE

RULE 7 APPEAL FROM FINAL ORDER OF
GRAFTON COUNTY SUPERIOR COURT

William L. Chapman (NH Bar No. 397)
Jeremy D. Eggleton (NH Bar No. 18170)
Orr & Reno, P.A.
45 South Main Street
P.O. Box 3550
Concord, NH 03302-3550
Tel: (603) 224-2381
wchapman@orr-reno.com
jeggleton@orr-reno.com

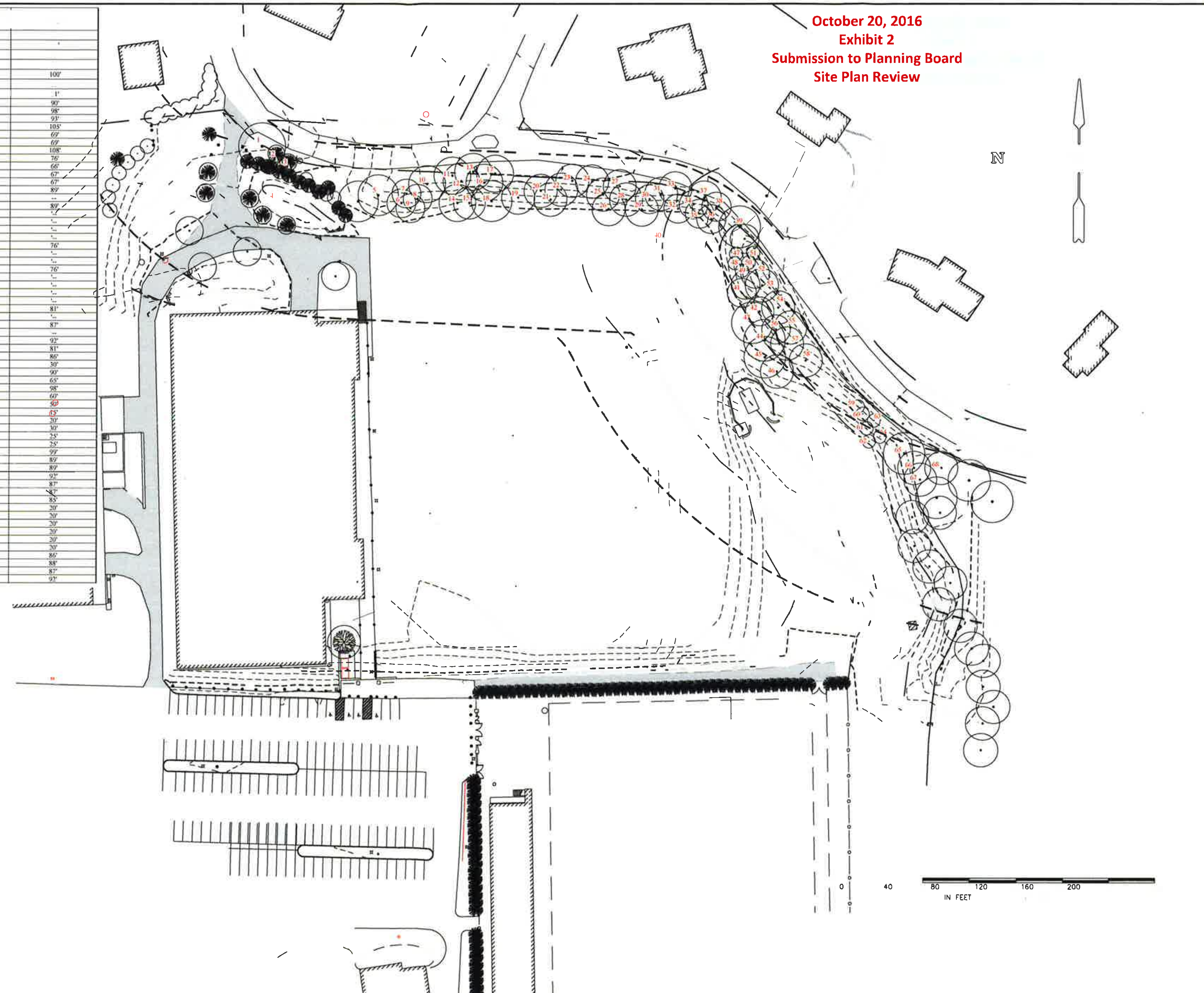
Bruce W. Felmly (NH Bar No. 787)
Wilbur A. Glahn (NH Bar No. 937)
McLane Middleton, P.A.
900 Elm Street
P.O. Box 326
Manchester, NH 03105-0326
Tel: (603) 625-6464
bruce.felmly@mclane.com
bill.glahn@mclane.com

Counsel for Appellant Trustees of Dartmouth College

Oral Argument Requested. Mr. Felmly will argue.

October 20, 2016
Exhibit 2
Submission to Planning Board
Site Plan Review

Tree No	Tree Species	Tree Size (DBH)	Approximate Elevation of Canopy Top	Height
1	Elm	36"	554'	60'
2	White Pine	25"	514'	21
3	White Pine	10"	515'	24'
4	White Pine	36"	586'	98'
5	White Pine	24"	585'	100'
6	White Pine	24"	585'	99'
7	White Pine	24"	575'	9 1'
8.	White Pine	18"	585'	90'
9.	White Pine	24"	575'	98'
10.	White Pine	18"	575'	93'
11.	White Pine	36"	585'	105'
12.	White Pine	12"	550'	69'
13.	White Pine	12"	520.5'	69'
14.	White Pine	36"	595'	108'
15.	White Pine	24"	565'	76'
16.	White Pine	24"	560.5'	66'
17.	White Pine	36"	545'	67'
18.	Ash	20"	555'	67'
19.	White Pine	36"	575'	89'
20.	White Pine	36"	--	--
21.	White Pine	24"	575'	89'
22.	White Pine	12"	--	'--
23.	White Pine	12"	--	'--
24.	White Pine	24"	--	'--
25.	White Pine	18"	--	'--
26.	White Pine	36"	565'	76'
27.	White Pine	24"	--	'--
28.	White Pine	20"	--	'--
29.	White Pine	18"	565'	76'
30.	White Pine	18"	--	'--
31.	White Pine	18"	--	'--
32.	White Pine	18"	--	'--
33.	White Pine	18"	--	'--
34.	White Pine	36"	569'	81'
35.	Cherry	24"	--	'--
36.	Cherry	18"	575'	87'
37.	White Pine	18"	--	--
38.	White Pine	36"	576'	92'
39.	White Pine	48"	566'	81'
40.	Cherry	24"	565'	86'
41.	Elm	8"	515'	30'
42.	White Pine	24"	576'	90'
43.	White Pine	24"	552'	65'
44	White Pine	36"	585'	98'
45	Oak	18"	550'	60'
46.	Cherry	24"	541'	50'
47	Hedge Maple	4-6" Clump	499'	15'
48	Hedge Maple	4-6" Clump	505'	20'
49	Hedge Maple	4-6" Clump	513'	30'
50	Hedge Maple	4-6" Clump	506'	25'
51	Hedge Maple	4-6" Clump	504'	25'
52	White Pine	24"	560'	99'
53	White Pine	24"	570'	89'
54	White Pine	24"	572'	89'
55	White Pine	24"	573'	92'
56	White Pine	24"	572'	87'
57	White Pine	24"	572'	87'
58	White Pine	24"	572'	85'
59	Hedge Maple	4-6" Clump	508'	20'
60	Hedge Maple	4-6" Clump	509'	20'
61	Hedge Maple	4-6" Clump	511'	20'
62	Hedge Maple	4-6" Clump	515'	20'
63	Hedge Maple	4-6" Clump	507'	20'
64	Hedge Maple	4-6" Clump	511'	20'
65	Cherry	24"	575'	86'
66	White Pine	24"	575'	88'
67	White Pine	24"	575'	87'
68	White Pine	24"	580'	92'



EXISTING LEGEND:

- SIGN
- HYDRANT
- GATE VALVE
- YARD DRAIN
- CATCH BASIN
- DRAIN MANHOLE
- SEWER MANHOLE
- SEWER LINE
- DRAIN LINE
- WATER LINE
- CONTOUR
- EDGE OF WETLAND
- WETLAND SETBACK LINE
- BUILDING
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- APPROXIMATE BOUNDARY LINE
- APPROXIMATE R.O.W. LINE
- RESIDENTIAL HEIGHT SETBACK
- SOFTWOOD TREE
- HARDWOOD TREE

REVISION NO	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY

SHADOW STUDY DIAGRAM FOR

DARTMOUTH COLLEGE - INDOOR PRACTICE FACILITY

HANOVER, NEW HAMPSHIRE

PATHWAYS CONSULTING, LLC
240 MECHANIC STREET, SUITE 100
LEBANON, NEW HAMPSHIRE 03766
(603) 448-2200

AS SHOWN
DESIGNED BY: PAB
DRAWN BY: PAB
CHECKED BY: RJF
DATE: 03/01/16
PROJ. NO. 11570-01

SCALE:

1

SHEET 1 OF 1