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Barnyard in the front yard

N.H lawyer starts a 'farm' to protest zoning ordinance

By John Milne
GLOBE STAFF

KEENE, N.H. — Court Street is a handsome, busy thoroughfare with large homes and green lawns near picture-postcard Central Square. Just up Court Street from the many restored Victorians and the lone Italianate villa, in the tiny yard in front of his 150-year-old house, Charlie Donahue feeds his two geese.

And his seven chickens.

And his two guinea hens.

And his two roosters.

Thirteen birds in all.

"They all mean something, just like the city officials

in Keene" Donahue said this week. "The geese are noisy; the guinea hens are a nuisance; the chickens, well, they're chickens; and that rooster — he has nothing to do. I kind of like him."

Donahue is likening farm animals to city officials because he's upset about their enforcement of a local zoning law that has stopped him from expanding his office staff. But the same law does allow a farm in his neighborhood, so that's what he set up in his yard. Sort of.

In front of Donahue's Victorian farmhouse, a gray building with black shutters, an open hay bale spilled onto the front walk. Another bale was on the porch, beside the red bag of chicken feed.

Behind the pen a large banner printed by Donahue
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Lawyer puts barnyard in front yard

■ BARNYARD

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reads:

"My Only Intent

"Was to Hire 3 Paralegal

Assistants

"The City said 'No'

"(A Farm, However, Is Allowed)

"Your Tax Dollars At Work,

Folks

"Please Be Kind to the Animals"

This, you see, is not a barnyard. It's a zoning dispute.

A longtime fear of almost all municipal officials is facing a lawyer who can tie them up with the law. And Donahue appears to have tied Keene in a knot with that and his flair for publicity.

Like many specialists in personal injury law, Donahue wears cowboy boots. But his are two-toned, and he wears paratrooper pants, not pin-stripes, over them. He advertises. Not the whispered names on public radio stations, but radio and TV ads.

And he distributes bumper stickers to clients reading: "Back Off! My Lawyer Is Charlie Donahue."

"I am flamboyant," he says proudly.

Of Keene officialdom he asks, "Why don't they lighten up?"

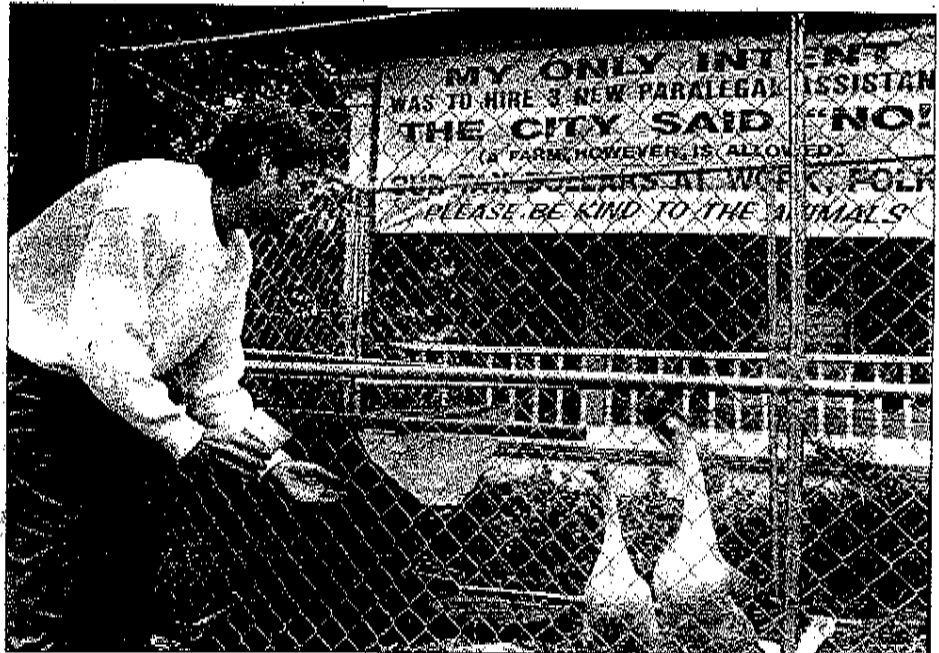
To Keene's code enforcement superintendent, Michael B. Forrest, this is a matter of rules being rules.

Court Street houses are zoned "medium density residential." In-home offices are permitted, but only one non-family employee is allowed.

On April 4, Donahue asked Keene's Zoning Board of Adjustment for permission to add three more employees.

On May 2, Forrest said, the board denied his request.

That's a bureaucratic understatement, Donahue says. "I wanted and



Geese are part of the menagerie Charlie Donahue has gathered to make a point about zoning laws in his neighborhood in Keene, N.H. The law won't allow him to hire more than one paralegal but permits farms.

took the vote and it was 5-0 against me." So Donahue researched the city zoning ordinance and found that it allows "noncommercial raising of farm animals."

That, Forrest said, was intended to permit, say, a family with a large yard to keep a horse. And he said there are a few horses on big yards within the limits of this city.

Donahue, however, concluded: "I can have a farm."

So last Monday, he put up a pen and stocked it with poultry. A child's plastic wading pool provides water.

The geese honk and hiss. And at 5 each morning, the roosters crow,

and gets help with caring for the birds from his wife, Susan, and their four children, says he's received no complaints from his neighbors.

As he stood in front of the house, people drove by, honking their horns or flashing thumbs-up signs. Several cars pulled up, their passengers wanting to see what the fuss was about. Children on a school bus flashed V-for-victory signs.

"I've talked to the neighbors, and they've all approved of what I do."

Forrest concurs, saying: "I haven't received a complaint."

Donahue said this is a clash between nostalgia and reality, that the

ing on preservation in a changed area. "The city says, 'We want to keep this residential.' I say to them, 'This isn't residential any more.'"

Forrest said a dentist has an office in one of the former homes, a chiropractor another.

Donahue, hoarse from giving interviews, portrays himself as just an average guy fighting City Hall. "They just don't have any common sense," he said. "I wanted to create jobs. They just don't want to listen, and that's what makes people mad about government."

Forrest said Donahue has until Monday to apply for a zoning board

Lawyer: Zoning is for birds

Keene attorney sets up barnyard

By SCOTT McPHERSON
Sentinel Staff

There's a whole lot of squawking on Court Street in Keene these days.

It's coming from personal injury lawyer Charles A. Donahue, and from the gaggle of geese and cluster of chickens he has assembled in the front yard of his office at 275 Court St.

Call it Old McDonahue's Farm. Donahue is upset with the Keene Zoning Board of Adjustment, which rejected his proposal to expand his law office into other parts of the building it occupies, and then hire three new paralegal assistants.

So, he is fighting back with a visible, noisy display.

"The squawking you hear from



Sentinel photo by MICHAEL MOORE

DONAHUE'S FARM — Lawyer Charlie Donahue poses Monday near his "barnyard," in front of his house on Court Street, Keene.

that pen makes much more sense than the reasons they gave me for rejecting me," he said.

Donahue's law office is in a medium-density residential zone, which is set aside primarily for houses on medium-sized lots. Offices are limited to one employee.

When Donahue sought permission to hire three more employees,

the zoning board said no, because the zoning laws don't allow larger offices in the medium-density zone.

At last month's zoning board meeting, Donahue was irate. He charged the board with colluding to reject his proposal, lacing his response with profanities.

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Lawyer is mad about Keene's zoning rules

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"To me, this reflects on government," Donahue said. "It's the insensitivity of some of the people we let lead us around."

But Michael B. Forrest, Keene's zoning administrator, said the board's decision simply enforced the law.

Three new employees would have made the office the primary use of the property, and that's not allowed in the medium-density zone, Forrest said.

Donahue, who is not publicity-shy, asked what was allowed in the zone.

"One of the permitted uses in the medium-density is non-commercial raising of farm animals," Forrest said.

So, Donahue has set up a makeshift farm, which has two geese, a hen, two roosters and six chickens. "If that's what they want, that's what they'll get," he said.

A large, blaring sign at the farm blasts city officials: "My only intent was to hire 3 new paralegal assistants. The city said 'no.' (A farm, however, is allowed). Our tax dol-

lars at work, folks. Please be kind to the animals."

Donahue says his squawking has attracted national media attention, and he has signed up three new clients since the animals moved in.

Curious people have stopped at the farm, and Donahue's wife and four children have helped to feed the birds.

Donahue said he doesn't want to turn his neighbors against him; they supported his expansion plans. If the birds become a nuisance, Donahue said, he'll move them.

Officials at the Monadnock Region Humane Society said they've received a single complaint about Donahue's farm and are investigating, but it appears the animals are penned and have shelter.

Donahue won't say what he plans next. He has asked the zoning board to reconsider its decision. If it stands firm, he could appeal the board's ruling to Cheshire County Superior Court.

"I never knew much about farming," said Donahue, who grew up in Lowell, Mass. "But I sort of like it. ... I think the problem with the city is going to be to take me off the farm."

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