

**Newington Board of Selectmen
Public Hearing
Discretionary Preservation Tax Easement
For Historic Agricultural Structures**

**April 21, 2003
Newington Town Hall
6:30 p.m.**

In attendance: Board of Selectmen Chairman Cosmas Iocovozzi, Selectman Jan Stuart, Selectmen Jack O'Reilly, AA Cynthia Gillespie, Residents George and Ruth Fletcher, Edna Moser. Richard Spinney, Barbara Hall

Call to Order at 6:30 p.m.

Pledge of Allegiance

The purpose of this hearing is to conduct a question and answer session with the residents of the Town of Newington regarding concerns and issues relating to the application of Edna G. Moser for a Discretionary Preservation Tax Easement for Historic Agricultural Structures on her carriage house and barn.

Chairman O'Reilly opened the Public Hearing by reading a letter from Susan Henderson the Town's Assessor's Agent. The April 4th letter stated:

On January 13, 2003 the Planning Board voted to encourage the Selectmen to implement RSA 79, the discretionary tax easement bill that would allow tax relief for qualified owners of historic agricultural structures. Property owners need to apply prior to April 15, 2003. Tax reductions for buildings placed under discretionary preservation easements will become effective starting in tax year 2003.

The Board of Selectmen voted to accept this discretionary preservation easement January 21, 2003.

Per section 79-D:5, If, after a duly noticed public hearing, the governing body finds that the proposed preservation of such historic agricultural structure is consistent with Chapter 79-D, it may take steps to acquire a discretionary preservation easement. In exercising its discretion, the local governing body may weigh the public benefit to be obtained versus the tax revenue to be lost if the easement is granted. The governing body has no more than 60 days to act upon the application.

Please find attached an application and map from E. Mosher, Map 12 Lot 10, for this discretionary preservation easement dated March 11, 2003, received March 24, 2003.

Qualifying structure must meet at least one public benefit (79-D:3 Qualifying structure) – **meets requirement** (barn only at this time, waiting for more information from NH Historical Dept-Elizabeth Muzzy to qualify carriage house)

- Scenic enjoyment by general public from a public way

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(79-D:4 Application procedures) – **meets requirement**

- Apply by April 15 on form PA-36-A, Map & description of how property meets tests of public benefit (RSA 79-D:3), agrees to maintain structure in keeping with its historic integrity & character during the term of the easement.

(79-D:6 Terms & Recording) – **if approved, we will need \$15.00 recording fee for Registry plus postage**

- this easement is for the term of a minimum of 10 years

(79-D:7) Assessment of Property subject to Discretionary Easement)

- the method of assessment of discretionary preservation easement structures **shall** be included in the terms of the agreement & assessments **shall** fall within a range of 75% to 25% of said full value assessment – the local governing body **shall** have the discretion to set the value of the preservation easement at a level within this range which it believes reflects the public benefit conferred by the property. The assessment **shall** not be increased because the owner undertakes maintenance & repairs designed to preserve the structure.

Ms Mosher is applying for two structures to be included in this easement-a barn at 3200 sq feet, 1997 assessment at \$3604.00 and a carriage house at 1080 sq feet, 1997 assessment at \$3597.00. The discrepancy at this time is in the sizes submitted by Ms. Mosher and those on record – we have both buildings as smaller.

Please note: the unofficial 2002 revaluation came in at \$18170 for the barn at 3090 sq feet & \$5820 for the carriage house at 616 sq feet. Ms. Mosher has completed significant repair upon the barn prior to this application, but not prior to the completion of the revaluation. I am awaiting more information from Beth Muzzy for NH Heritage (DRED) for more documentation on exactly what is needed for the “carriage house” in question to qualify.

If this easement is approved, it will be 25% to 75% off the assessed value of those buildings. The value may change in keeping values updated with the revaluation, but not just because of upkeep, is the opinion of Natalie Duffy of the Department of Revenue (3-25-2003) and Linda Kennedy DRA (4-1-2003), however; as this is a new program, this decision has not yet been tested in court.

Thank You
Susan Henderson
Assessing Technician

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Ms. Henderson added in post script to her letter:

4-3-03

According to Beth Muzzy and verified on the Town Historical District map, Ms. Mosher's property does not lie within the Newington Historical District. As for the carriage house, even if it has been converted into a garage, as many barns and other agricultural buildings have been, the conversion would not negate its qualification as a carriage house for historic purposes.

Ms. Mosher's application states: This application is for my barn and carriage shed (carriage house). Both buildings were built in 1889. The barn is close to a public road and is the first historic structure to be seen entering the Town. The structures have been maintained with first consideration to their historic character. My buildings meet all 3 guidelines.

Chairman O'Reilly opened the Public Hearing to questions and discussion.

Richard Spinney asked if this easement is over and above the elderly exemption. Selectmen O'Reilly answered it was.

Edna Mosher presented the Board with pictures of the property from 1910 and also documenting the repairs to the barn. Chairman O'Reilly asked AA Gillespie to have Tom Morgan scan the pictures for the Town's file and then return them to Ms. Mosher.

Richard Spinney asked if there was an age requirement on the buildings. Edna Mosher passed out printed guidelines from the NH Historic Agricultural Structures Advisory Committee. It states the definition of Historic to be at least 75 years of age.

Ruth Fletcher said that she had not heard of this program before. Chairman O'Reilly said that this program is new this year. Barbara Hill said that the Historic Commission put an article in the Newington Neighbor about the program.

Barbara Hill explained that the structures must be kept in good repair during the time of the easement. The easement is for a period of ten years. If the structure is not kept up, the easement can be removed and then property is treated the same as if it were coming out of Current Use. She added that the property does not have to be on the Historic Register. The purpose of this program is to discourage people from tearing down their historic and scenic agricultural structures. She said that in the past, when an individual

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fixed up an old barn the value would go up and the taxes on the property would go up. This program gives the property owner some incentive and relief.

Chairman O'Reilly stated that even at the 75% this program will not impact the Town's tax rate. Selectman Stuart said that she felt this is a wonderful program.

Chairman O'Reilly asked how many barns are there in town that qualified. Mrs. Hill said that the Historic Commission has inventoried the structures that qualify and there are eleven.

Chairman O'Reilly asked if there was further discussion on the Preservation Tax Easement. There being none, the Public Hearing was left open for discussion until 7:30. However, the Board of Selectmen conducted other business.

Barbara Hill said that the Historic Commission sent out notices to obtain a Preservation Consultant for the old Town buildings. She said that she had four respond. The deadline on the notice is next week, after that the Historic Commission will bring the applications into the Board for a decision. Mrs. Hill also said that she walked around the Historic District with one of the applicants last week. She said that he was quite impressed with the Old Stone School. She noted that there were boards over the windows downstairs that have been pulled out. She is concerned that animals will get into the building and create more damage.

Selectman Jan Stuart made a motion to approve the proposal from Corcoran Consulting for a total Revaluation of the Town not to exceed \$162,500.00. Seconded by Selectman Iocovozzi. Vote 3-0.

Treasurer George Fletcher spoke to the Board concerning two purchase orders to Lovewell Mountain Regalia that were written by the Fire Station for two invoices. The Board of Selectmen said that they will be meeting with the Board of Fire Engineers next week and they will ask about them. Chairman O'Reilly said he thought he had a question on the same invoices. AA Gillespie said that the question Chairman O'Reilly asked was why the invoices were taken from protective clothing. AA Gillespie said that originally the Purchase Orders were written out to take the money from a wage line. She called Danielle and told her that she really should not use a wage line for this purpose. She recommended that Danielle take the money from uniforms. Chairman O'Reilly agreed that was a better choice than protective clothing.

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George Fletcher said that Sunday morning he prepared the Church Easter Sunday Breakfast and noticed that the stove was left filthy. Ruth Fletcher added that the whole kitchen way filthy. Selectman Stuart stated that the Board was aware of the problem. It has gotten to the point that the Board was thinking about not letting anyone use the facility. Mrs. Fletcher said the problem is that no one cleans the room between parties. Mr. Fletcher said that the last time that they set up for the Church Supper they had to wash every table. He said that those tables should be cleaned before they are put away. Selectman Stuart agreed. She said that the Board feels the need for someone to be assigned to go in after every party and check. Chairman O'Reilly said that maybe its time to put the cleaning deposit back on the room. If the room is cleaned properly than the people will get back their deposit. Mrs. Fletcher said that the Town already charges \$100.00 for the use of the kitchen. Chairman O'Reilly said that the \$100.00 is not a cleaning deposit, it is for the rental of the room. Chairman O'Reilly added that the \$100.00 does not even cover the costs involved in opening the room for a function. Selectman Iocovozzi stated that with the electric, air conditioning and all the other amenities, the Town should charge \$400 to \$500. Mr. Fletcher asked if there is a check off sheet for closing. He said he feels a check sheet should be given to the people that rent the hall. Then someone needs to check to make sure those items are done. AA Gillespie said that another real problem is the way the tables are being put away. If the tables are put away improperly or mishandled they can become damaged. Mrs. Fletcher said that someone needs to tell the people how to put the tables away. AA Gillespie stated that there is a sign with instructions on the wall inside the closets. Mr. Fletcher said that there is also a limit of thirty to thirty two chairs on one rack. Chairman O'Reilly said that a check sheet is something the Board should work on.

AA Gillespie asked the Board if they want a light on the flag on the front of the building. Dick Rines thought it would be a good idea to have a permit light out there. Chairman O'Reilly said he asked for a bid to have the under ground cable put in. He thought the bid was too much. He asked AA Gillespie to get a new bid.

AA Gillespie said that she had the wreath taken down and the flag put up today. Before this, the ground was too wet to put a truck on the lawn. That is why the wreath had not been taken down earlier.

AA Gillespie said that Richard Rines went to Great Bay and got an estimate on the picnic tables. They will deliver the tables for \$90.00 apiece. The Town needs six tables. Chairman O'Reilly asked AA Gillespie to make up a Purchase Order and the Board will sign it.

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Mrs. Fletcher asked if someone was planning to do something about the trash that was dumped down at Fox Point near the end of the corn field, on the shore. She said that she told the Police about it last fall. She took paperwork with a name of a business on it to the police station. She said there are computer parts, lamps and boxes. Selectman Stuart said she has seen it. Selectman Iocovozzi instructed AA Gillespie to send Lenny Thomas down there with the Town truck to clean it up. Selectman Stuart said that she will meet Lenny down there to show him where it is.

AA Gillespie asked the Board for an approval for Lenny Thomas to purchase a power broom. Lenny Thomas priced one out at Eliot Small Engine for \$599.00. The Board declined.

AA Gillespie told the Board that the Fire Board of Engineers would like to meeting with the Board of Selectmen next Tuesday night, April 29th to discuss the ladder truck. The Board agreed to a 6:00 meeting.

AA Gillespie also presented the Board with two proposals for work to be done on the Fire Station. Selectman Iocovozzi recommended that these be tabled until the meeting on the 29th with the Fire Engineers.

TOWN HALL USE

A Town Hall Use Form for April 24th from Thermo Neslab was approved.
A Town Hall Use Form for June 25th from NH Department of Transportation, Bureau of Environment was approved.

SIGNATURES/APPROVALS

Selectman Stuart made a motion to appoint:
Marlon Frink and Sandy Hislop as representatives and Ralph Estes as an alternate representative, from the Town of Newington to the State of New Hampshire Department of Transportation, Advisory Task Force. Seconded by Selectman Iocovozzi. Vote 3-0.

Selectman Stuart made a motion to appoint Ruth Fletcher as the Sewer Commission Clerk and Jean Bowser as the Sewer Commission Treasurer. Seconded by Selectman Iocovozzi. Vote 3-0.

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The Board reviewed and approved a proposal from Maldini Electric to replace 17 lights at the Town's Tennis Court, for \$702.00.

A letter requesting the release of \$19,507.00 from the Ambulance and Major Medical Equipment Replacement Capital Reserve Fund, for the purchase of a Defibrillator was signed by the Board.

A property tax exemption for the Holy Trinity Evangelical Lutheran Church was signed by the Board.

A list of 2002 Resident taxes abatements was approved by the Board.

Chairman O'Reilly asked if there were any further discussion on the Discretionary Preservation Tax Easement for Historical Agricultural Structures. There being none the Public Hearing was closed at 7:30 pm.

Selectman Stuart made a motion to approval Edna Mosher's application for a discretionary tax easement on her carriage house and barn and to award a 75% assessment to this easement. Seconded by Selectman Iocovozzi Vote 3-0.

Minutes

Selectman Stuart made a motion to accept the minutes of April 1st and April 14th. Second by Selectman Iocovozzi. Vote 3-0.

There being no further business before the Board the meeting was:

Adjourned 7:35

Respectfully submitted,

Cynthia L. Gillespie
Administrative Assistant