

**Town of Center Harbor
Heritage Commission Meeting**

-Approved 5/27/18-

April 19, 2018

Minutes

- I. **Call to Order:** Meeting called to order at 4:30pm. Present: Chairperson David Reilly, Roland Garland, David Hughes, Karen Ponton, Virginia Fisher (alternate); Absent: Richard Hanson, Nancy Sapack (alternate)
- II. **Approval of Minutes:** Motion by K. Ponton, seconded by R. Garland that: The Minutes of March 15, 2018 be approved as written. Passed unanimously.
- III. **Order of Agenda & Additional Items:** No changes.

IV. Unfinished/Continuing Business

A. Commission Organization

1. **Clarification of Members' Current Terms of Office:** D. Hughes was sworn in by Town Clerk Mary Richards for a 3-year term, ending 2021; R. Hanson for his term that is concurrent with his Selectman's term ending 2020; and K. Ponton for 1-year ending 2019. (See attached).

2. **Appointments of Chairperson & Secretary:** Motion by K. Ponton, seconded by D. Hughes that: D. Reilly be appointed chairperson. Passed unanimously. Motion by D. Reilly, seconded by D. Hughes that: K. Ponton be appointed Secretary. Passed unanimously.

3. **D & O Insurance:** D. Reilly reported that all members of the Town's boards, committees and commissions are covered by the Town's D & O liability insurance policy.

B. Town House Rehab: Foundation Project

1. **Roof RFP:** The Commission received, opened and reviewed six (6) sealed bids for the Town House roof:

• Avatar	\$ 9,988
• A Graton	\$17,000
• iRoof	\$ 6,500
• Target New England	\$19,675
• SEH Home Improvements	\$ 9,000
• Weatherguard	\$16,200

Consensus was to take the bids under advisement and request Code Compliance Officer K. Ballance to review them. D. Reilly and K. Ponton will arrange to meet with K. Ballance next week.

2. **2018 Mooseplate Grant Application:** Please forward letters of support to K. Ponton for inclusion in the Grant application by May 17, 2018.

3. **Plans for Interior:** Consensus was to hold an informational meeting with the public and a "work session" with K. Ballance to review the *Building Conditions Report* in late summer or fall.

VI. Other Business

A. Heritage Commission Vision: R. Garland reported he is working on a Vision Statement for the Commission.

B. Announcement: Volunteers are needed for the 2018 Earth Day Town Roadside Trash Clean-up this Saturday, April 21 9am-noon.

VII. Adjournment: Motion by K. Ponton, seconded by R. Garland to adjourn at 6:05pm.
Passed unanimously.

Respectfully submitted,

Karen Ponton
Secretary

atts(7)

Center Harbor Heritage Commission

Heritage Fund Report (3/31/18)

I. Town Appropriations

Appropriation 2015	\$ 500.00	(\$467.16)
Appropriation 2016	\$15,000.00	(8,435.00)*
Appropriation 2017	\$5,000.00	(1,110.06)***
Appropriation 2018	\$5,000.00	

Appropriations Balance \$ 15,487.78

II. Donations

2015 Donations	\$ 4,017.67	(\$ 4,119.74)**
2016 Donations	6,437.12	
2017 Donations	8,926.23	
2018 Donations	<u>930.60</u>	
	\$ 20,311.62	

\$ 16,191.88

III. Town House Rehab

LCHIP Grant (1 st & 2 nd Disbursement)	\$ 17,024.00	
LCHIP Grant (Final Disbursement)	4,131.87	
Mooseplate Grant (1 st Disbursement)	5,000.00	
Mooseplate Grant (2 nd Disbursement)	5,000.00	
Target New England	(41,410.00)	(\$ 10,254.13)

IV. Heritage Fund Balance (I + II + III)

\$ 21,245.53

V. MVSB Account

2/28/18	Statement Balance	\$12,293.66
3/13	Deposit	4,131.87
3/30	Deposit	<u>5,000.00</u>
3/30/18	Statement Balance	\$21,425.53

VI. Operating Budget 2018

\$1,000.00

Expenses:

Reimburse K. Ponton for Grant Report

Photos & Materials

(41.46)

Balance:

\$ 958.54

Notes: * 2016 Town House Rehab Expenses-Phase 1A archaeology report, electrician & painting less \$10,000 Mooseplate Grant

** 2015-6 Town House Building Conditions Assessment less \$4,000 NHPA Grant

*** 2017 Town House Rehab Expenses- porch repair & Phase 1B archaeology report

Center Harbor Heritage Commission

Heritage Fund Summary Report (4/1/18)

I. Town Appropriations

Appropriation 2015	\$ 500.00	(\$467.16)
Appropriation 2016	\$15,000.00	(8,435.00)*
Appropriation 2017	\$5,000.00	(5,208.32)***
Appropriation 2018	\$5,000.00	

Appropriations Balance \$ 11,389.52

II. Donations

2015 Donations	\$ 4,017.67	(\$ 4,119.74)**
2016 Donations	6,437.12	
2017 Donations	8,926.23	
2018 Donations	<u>930.60</u>	(\$ 6,155.87)****
	\$ 20,311.62	

\$ 10,036.01

III. Town House Rehab

IV. Heritage Fund Balance (I + II + III)

\$ 21,425.53

V. MVSB Account

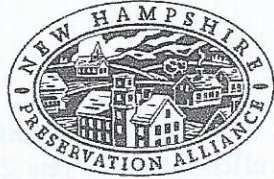
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Notes: * 2016 Town House Rehab Expenses-Phase 1A archaeology report, electrician & painting less \$10,000 Moose Plate Grant

** 2015-6 Town House Building Conditions Assessment less \$4,000 NHPA Grant

*** 2017 Town House Rehab Expenses- porch repair & \$5,000 towards Phase 1B archaeology report & foundation work (to match \$21,155.87 LCHIP Grant)

**** 2017 Town House Rehab Expenses – towards foundation work less \$10,000 Moose Plate Grant (to match LCHIP Grant)



Tax Incentive Mechanism to Help Save Old New Hampshire Barns

A 2002 State law (RSA 79-D) creates a mechanism to encourage preservation of old New Hampshire barns and other historic agricultural buildings.

RSA 79-D authorizes towns and cities to grant property tax relief to barn owners who (a) can demonstrate the public benefit of preserving their barns or other old farm buildings, and (b) agree to maintain their structures throughout a minimum 10-year preservation easement.

The Purpose

The 2002 law is based on widespread recognition that many of New Hampshire's old barns and other agricultural buildings are important local scenic landmarks and help tell the story of farming in the state's history. Yet many of these historic structures are being demolished or not repaired because of the adverse impact of property taxes. RSA 79-D is intended to encourage barn owners to maintain and repair their buildings by granting them specific tax relief and assuring them that assessments will not be increased as a result of new repair and maintenance work.

The Mechanism

The program represents a uniquely New Hampshire approach, which is strictly voluntary on the part of the property owner, and combines statewide eligibility criteria and guidelines with decision-making and implementation at the local level. It is closely modeled after New Hampshire's discretionary easement program (RSA 79-C), which authorizes local governments to grant property tax relief to encourage preservation of open land.

On or before April 15 of the new tax year, any owner of an historic barn or other farm building may seek relief by applying to their local governing body (Board of Selectmen or city government) to grant a discretionary preservation easement to the municipality and agreeing to maintain the structure in keeping with its historic integrity and character during the term of the easement. The application, executed on a form provided by the N.H. Department of Revenue Administration, is to include a map showing the location of the structure(s) and a description of how the property meets the prescribed test of public benefit.

The town selectboard or appropriate city government department will then have 60 days in which to act on the application. A public hearing is required, which may provide an opportunity for local historical societies or other advisory groups to express support for barn preservation efforts. If the municipality determines, in exercising its discretion, that the proposed preservation of the structure is consistent with the purpose of the law, it may acquire an easement on the structure for a minimum of ten years and grant tax relief within a range of a 25 to 75% reduction of the structure's full assessed value. Maintaining and repairing the building will not result in an increase in its assessed value for property tax purposes.

Effective Date

The law (RSA 79-D) went into effect on July 2, 2002. Property tax reductions for barns and other buildings, and the land under them, first became effective in tax year 2003. Applications for new easements, to go into effect in the coming tax year, must be submitted on or before April 15.

Eligibility

For this program, "historic agricultural structure" is defined as a barn or other structure, including the land on which it is built, which currently or formerly was used for agricultural purposes, and is at least 75 years old. The test of demonstrated public benefit shall be considered to have been met if the structure complies with one or more of the following: (1) provides scenic enjoyment to the general public from a public road or waterway; (2) is historically important on a local, regional, state or national level; (3) contributes to the historic or cultural integrity of a property listed on or eligible for the New Hampshire State or National Registers of Historic Places, or is in a locally designated historic district.

In determining eligibility, the Selectboard or appropriate city department shall refer to statewide guidelines adopted by the New Hampshire Historic Agricultural Structures Advisory Committee, and may weigh the public benefit to be gained by the preservation of the structure versus the tax revenue to be lost if the easement is accepted. The statewide guidelines include consideration of whether there is local interest and support for the structure's preservation, its historic and agricultural significance, and the degree to which tax relief will encourage its preservation.

Whom do I contact?

The N.H. Department of Revenue Administration has provided application form PA-36-A to all town and city governments. Application forms and eligibility guidelines should be available from your town clerk, Board of Selectmen, or appropriate city department. Applications are also available at <http://www.revenue.nh.gov/forms/2013/documents/pa-36-a.pdf>. For more information, contact the N.H. Department of Revenue Administration's Property Appraisal Division, (603) 230-5950.

For more background information, including a copy of the statute, a sample discretionary preservation easement and a guide to assist applicants and selectmen work through the application and approval process, and an application itself, go to <https://nhpreservation.org/old-barn-resources-overview/> or contact the New Hampshire Preservation Alliance at (603) 224-2281 or admin@nhpreservation.org.

The full text of the statute is also available on the state website, <http://www.gencourt.state.nh.us/ras/html/V/79-D/79-D-mrg.htm>

The Preservation Alliance is the statewide, non-profit membership organization committed to preserving historic buildings, communities and landscapes through leadership, education and advocacy.

January 2017

NEW HAMPSHIRE PRESERVATION ALLIANCE
P.O. BOX 268 • CONCORD, N.H. 03302-0268
TELEPHONE (603) 224-2281 • FAX (603) 226-9368 • www.nhpreservation.org



Fact Sheet
NH RSA 79-E
Community Revitalization Tax Relief Incentive

This law encourages investment in downtowns and village centers with a new tax incentive modeled on existing New Hampshire statute (the so-called “Barn Bill”). Its goals are to *encourage the rehabilitation and active use of under-utilized buildings* and, in so doing, to

- **promote strong local economies and,**
- **promote smart, sustainable growth, as an alternative to sprawl, in accordance with the purpose and objectives of RSA Ch. 9-B (State Economic Growth, Resource Protection, and Planning Policy).**

How it works:

- In a town that has adopted the tool created by this law, a property owner who wants to substantially rehabilitate a building located downtown, or in a village center, may apply to the local governing body for a period of temporary tax relief; owners of structures listed on the National or State Registers of Historic Places may also apply.
- In certain limited circumstances, the tax relief may also be applied to the replacement of buildings, instead of rehabilitation.
- The temporary tax relief, if granted, would consist of a finite period of time during which the property tax on the structure would not increase as a result of its substantial rehabilitation. In exchange for the relief, the property owner grants a covenant ensuring there is a public benefit to the rehabilitation.
- Following expiration of the finite tax relief period, the structure would be taxed at its full market value taking into account the rehabilitation.

The legislation offers strong community process and discretion:

- Any city or town may adopt this program with the majority vote of its legislative body.
- Applications by property owners are made to the governing body and are accompanied by a public notice and public hearing.
- The governing body may grant tax relief if the application meets the guidelines and public benefit test.
- The governing body may deny the application in its discretion: “..such denial shall be deemed discretionary and shall not be set aside by the board or tax and land appeals or the superior court except for bad faith or discrimination.” (79-E:4 V)

Qualifying properties:

A property owner can apply for the tax relief only if:

- The building is located in the community’s downtown district or its equivalent (municipality may establish additional and stricter criteria for identifying qualifying structures); and
- The rehabilitation costs at least 15% of the building’s pre-rehab assessed value, or \$75,000, whichever is less (municipality may establish higher thresholds); and
- The rehabilitation is consistent with the municipality’s master plan or development regulations.

For more information, contact:

Jennifer Goodman, N.H Preservation Alliance – 603.224.2281, jg@nhpreservation.org



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City of Laconia Demolition Ordinance

D. Demolition review.

[Added 3-24-2008 by Ord. No. 03.2008.03; amended 5-26-2009 by Ord. No. 08.2009.08; 9-28-2015 by Ord. No. 05.2015.05]

A stated goal of the City Master Plan is to "Preserve the historic character of the City. Laconia's architecture and artifacts reflect its cultural history as one of the oldest economic centers in the state. The character of these historic resources adds to the City's vitality and, as such, should be preserved." To that end, the City of Laconia has developed the following Demolition Ordinance.

(1) **Definitions.** As used in this subsection, the following words or phrases shall have the meanings set forth below except when the context in which they are used requires a different meaning.

BUILDING

Any structure used or intended for supporting or sheltering any use or occupancy.

DEMOLITION

The act of pulling down, destroying, removing, or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.

SIGNIFICANT BUILDING

Buildings that meet at least one of the following criteria:

- (a) The building or structure has interest and qualities that would meet national or state criteria for designating a historical, cultural or architectural landmark.
- (b) The building or structure is of such unusual or uncommon design, texture or materials that it could not be reproduced or only with great difficulty and expense.
- (c) The building or structure is of such architectural or historic interest that its removal would be a detriment to the public interest.
- (d) The retention of the building or structure will help preserve and protect a historic place or area of historic interest.

STRUCTURE

Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

(2) **Criteria.** Any building or structure or part of a building or structure in the City of Laconia will fall under the terms of this article where:

- (a) The proposed demolition is greater than 700 square feet of gross floor area or the proposed demolition involves a structure of any size that does not meet the definition of a building; and
- (b) The building or structure was constructed/installed more than 50 years before the demolition permit application date.

(3) **Procedure.** When an application for a demolition permit is submitted to the Code Enforcement Officer for a determination under this article, the Code Enforcement Officer shall

determine if the structure or building meets the above criteria. The Code Enforcement Office may require the applicant to submit information necessary to make this determination. If it does, the Code Enforcement Officer shall:

(a) Within five business days of the filing, confirm that the applicant is aware of the designation (as was identified on the demolition permit application), that the demolition must be reviewed by the **Heritage Commission** before proceeding, and the date, time and place of the next regularly scheduled meeting of the Heritage Commission.

(b) Within five business days forward the application to each member of the **Heritage Commission** for review at its next regularly scheduled meeting.

(c) If the **Heritage Commission** determines the demolition permit involves a potentially significant building or structure (See subsection below.), the Code Enforcement Officer shall, within five business days of that decision, notify the applicant that a sign, paid for by the City, identifying the building as proposed for demolition and the date, time and place of the public hearing on the proposed demolition is ready for posting in a visible location on the building and that this sign must be posted within five business days of receiving notification from the Code Enforcement Officer. It is the responsibility of the applicant to post the sign. If the sign is not posted at least 15 days prior to the date of the public hearing, the process shall stop and the public hearing will not be rescheduled until at least 15 days after the sign is posted.

(4) Heritage Commission responsibilities.

(a) It is the responsibility of the **Heritage Commission** to: notify the applicant that the application has been received and confirm the application will be on the agenda of the next regularly scheduled meeting and, if possible, coordinate a site visit to gather further information necessary to make a final determination.

(b) If a determination is made that the building or structure is found to be not significant, the **Chairman of the Heritage Commission** shall notify the Code Enforcement Officer and the applicant in writing within two business days of such decision and that the demolition may proceed.

(c) If a determination is made that the building or structure is found to be significant the following timeline shall begin:

[1] A public hearing shall be scheduled by the **Heritage Commission** for the next regularly scheduled monthly meeting. The **Heritage Commission** shall also be responsible for submitting notification of the public hearing to the local newspaper, paid for by the City.

[2] The Code Enforcement Officer and applicant shall be notified in writing within two business days of such decision, to include the date, time and location of the public hearing.

[3] Hold the public hearing to hear all public testimony regarding the proposed demolition. The applicant or representative thereof shall be invited to attend the public hearing to present the proposal and to hear the concerns or alternatives that are proposed by members of the public.

[4] If an agreement cannot be reached during the public hearing, a meeting between the **Heritage Commission** and the applicant or representative thereof shall be scheduled within 10 business days of the public hearing to further discuss alternatives to demolition.

(5) Demolition.

(a) If no alternatives to demolition have been identified and agreed to by the applicant after the meeting provided for above, within 10 days of the above meeting, the **Heritage Commission** may petition the City Council for up to an additional sixty-day time period before the demo permit is issued. This time period is to allow the **Heritage Commission** extra time to fundraise, outreach or discuss alternatives.

(b) If no alternatives to demolition have been identified and agreed to by the applicant after the meeting provided for above, and no petition for more time has been submitted to the City Council, the applicant is free to proceed with the demolition permit application process. If demolition is to proceed, and if the applicant is in agreement, the **Heritage Commission** shall photographically document the structure or building. The Committee shall also encourage the applicant to salvage significant architectural features.

(c) Nothing in this article shall be construed to prevent emergency demolition where public safety is at stake and the building has been determined by the Code Enforcement Officer to be a public hazard and demolition is the only viable recourse.

(d) Nothing in this article shall be construed to supersede the demolition permit application process that exists at the Code Enforcement Office and which involves approvals from state departments and utility providers.

(6) **Representation to Planning Board.**

(a) If a building permit or site review plan involving demolition is submitted to the Planning Department, notification shall be made to the Code Enforcement Officer and the procedure and responsibilities above shall begin.

(b) The Code Enforcement Officer shall represent the **Heritage Commission** on the Technical Review Committee and any agreement between the **Heritage Commission** and the applicant shall be made a part of the conditions for final approval of the permit by the Planning Board.