



Office of the Board of Selectmen
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NEWTON BOARD OF SELECTMEN
DATE: TUESDAY, September 5, 2017
TIME: 7:15PM

LOCATION: NEWTON TOWN HALL, 2 TOWN HALL ROAD

PUBLIC HEARING MINUTES

I. Call to Order

Chairman Burrill called the public hearing to order at 8:21pm. In attendance were Selectmen, Matthew A. Burrill, Chairman, Lisa L. Gonyer, Vice-Chairman, Robert S. Donovan Jr., Lawrence B. Foote, James L. Doggett; Nancy J. Wrigley, Town Administrator and Diane M. Morin, Selectmen's Secretary. The public hearing was audio and video taped; the public hearing minutes were transcribed and typed by Diane M. Morin.

Chairman Burrill read the public notice as follows:

In accordance with NH RSA 79-D notice is hereby given to all residents of Newton, New Hampshire, that a Public Hearing for the purpose to discuss, take public comment and act upon the following items:

- **Application by Joseph & Linda Madore, 41 Highland Street, (Tax Map 5 Block 4 Lot 20) for a Discretionary Preservation Easement to be placed upon their property in accordance with NH RSA 79-D.**
- **Application by Beverly M. Batchelder, 42 Thornell Road, (Tax Map 6 Block 8 Lot 7) for a Discretionary Preservation Easement to be placed upon their property in accordance with NH RSA 79-D.**
- **Application by Nicol Farm Partnership Inc., 26 Merrimac Road, (Tax Map 12 Block 6 Lot 15) for a Renewal of Discretionary Preservation Easement to be placed upon their property in accordance with NH RSA 79-D.**

Town Assessor (TA) Andrea Lewy presented to the Board 3 applications for barn preservation easements. She explained why RSA 79-d was instituted. In 2002 the State Legislators decided it was in the public interest to preserve these historic agricultural structures. If these structures were in a Town, then an evaluation easement could be granted to help preserve the structures. The evaluation easement could be between 25 -75% off the assessment of the structure. The savings the owners realized could then be used to preserve the structure. The structure must meet certain criteria in order to receive the easement which will add value to the scenic enjoyment to the community and the structure must be 75 years or older.

Nicol Farm Partnership:

TA Lewy provided pictures of the Nicol Farm barn to the Board. The Nicol Farm is requesting a renewal of their Preservation Barn Easement. TA Lewy showed via the pictures that the barn has been preserved and is still functioning as an agricultural structure. The Nicol's have taken great strides in ensuring the barn remains historically accurate. The barn has been featured in a magazine for timber framed structures. The barn is over 100 years old. The request is to extend the easement for 20 or more years

Resident Steve Cushing addressed the Board. He stated that he worked on the barn to help restore it to its original structure. He mentioned that the Nicol's decision to restore the barn was not an easy one for them to make. The cost to build a new barn was less than restoring the original barn. He would like to see the Town continue with the easement to help the Nicol's keep the barn preserved.

TA Lewy stated that the barn is well cared for and that the Nicol's are actively doing what is needed to keep the barn preserved. Therefore, she is recommending the easement be renewed for 20-25 years.

Beverly M. Batchelder:

TA Lewy presented the next application to the Board. The request from Beverly M. Batchelder is for an evaluation easement for a barn and blacksmith structure. TA Lewy provided pictures of the structures. The buildings are in need of repairs and the owners are asking for the easement so that they may repair the buildings with the savings.

Owner Ed Batchelder addressed the Board and explained that he would like to have the easement to help them restore the barn and is looking for a 75% easement. They are currently putting a new roof on the barn. The blacksmith structure has been steadily rotting into the ground. The long-term plan for the building is to restore it and create a small museum along with selling their produce. He is asking for a 75% easement on the blacksmith building as well.

TA Lewy explained that the evaluation is frozen at the rate the Board chooses for the specific number of years decided on by the Board. If the owner makes improvement they will only be charged the percentage of evaluation until the next time a full revaluation of the Town is conducted.

Resident Steve Cushing addressed the Board. He spoke about the "L" Chip program which is a land and community heritage investment program which he was involved in. The Batchelder property was the first property in the State to qualify for all 3 categories, natural, cultural and historical aspects. Mr. Cushing would recommend the Board offer the preservation easement to the Batchelder's.

Joseph & Linda Madore:

TA Lewy went on to the last application from Joseph and Linda Madore for 41 Highland Street. TA Lewy read sections from a letter provided by the Madore's to her. To the best of their knowledge the barn was built in the 1800's. The barn was used for agricultural but is in disrepair. The barn is attached to the house. They have owned the

property since 1983 and the usage of the barn has been varied. There was an opening underneath the barn which has since been filled in to stabilize the foundation. It's a three-story barn with no flooring on the top floor. There are sliding doors on the second floor and remnants of housing for chickens. Currently the barn needs a new roof at a cost of \$8,000.00 and are working to maintain the barn. TA Lewy provided pictures to the Board showing that some of the renovations have changed the look of the barn.

TA Lewy recommends that the Nicol's and Batchelder be granted 75%. For the Madore property she believes the renovation of the structure is changing the look and that is not the intent of the law.

Chairman Burrill read the following statement:

The applicants must demonstrate to the satisfaction of the selectmen that their application provides a public benefit through the preservation of the historic agricultural structure on their property. If such a determination is made, the terms and conditions of such an easement will be discussed, which may result in the lowering of the assessed value of the property encumbered by the easement.

Chairman Burrill closed the public comment portion of the hearing at 8:50pm.

Selectman Donovan moved to grant a preservation easement of 75% for 20 years to Nicol's Farm Partnership located at 26 Merrimac Road, Newton, NH. Seconded by Selectman Foote with a unanimous vote.

Selectman Doggett moved to grant a preservation easement of 75% for 10 years to Beverly Batchelder located at 42 Thornell Road, Newton, NH. Seconded by Selectman Gonyer with a unanimous vote.

Selectman Foote moved to have Town Assessor Andrea Lewy look further into the change of usage of the barn at 41 Highland Street. Seconded by Selectman Gonyer for discussion.

Selectman Gonyer stated that the pictures look to be a modern building and not a barn. Selectman Doggett wanted to make sure that this is not time sensitive. TA Lewy stated no it was not time sensitive and that it could be voted on at the next Board meeting. She will speak with the Madore's to see what the future intended usage of the building will be. She will report back to the Board when she has an answer.

II. Adjourn 8:56pm

Respectfully submitted,

Diane M. Morin
Board of Selectmen Secretary