

# HAMPTON BOARD OF SELECTMEN SELECTMEN'S MEETING ROOM

August 28, 2003 6:00 PM

PRESENT: Brian C. Warburton, Chairman, Virginia Bridle,  
William Sullivan, Cliff Pratt,  
James Barrington, Town Manager  
Karen Anderson, Administrative Assistant

1. The Board of Selectmen will consider calling a Special Town Meeting for the purpose of amending the elderly, disabled, and blind exemptions.

“Shall we modify the elderly exemptions for property tax in the Town of Hampton, based on assessed value, for qualified taxpayers, to be as follows: for a person 65 years of age up to 75 years, \$82,000; for a person 75 years up to 80 years, \$115,000; for a person 80 years of age or older \$147,000. To qualify, the person must have been a New Hampshire resident for at least 5 years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married for at least 5 years. In addition, the taxpayer must have a net income of not more than \$26,000 or, if married, a combined net income of less than \$43,000; and own net assets not in excess of \$95,000 excluding the value of the person's residence.”

“Shall we modify the exemption for the disabled under the provisions of RSA 72:37-c from the assessed value of residential real estate for property tax purposes to the value of \$41,000 to address significant increases in property values? To qualify, the person must have been a New Hampshire resident for at least 5 years and own and occupy the real estate individually or jointly, or if the real estate is owned by a spouse, they must have been married for at least 5 years. In addition, the taxpayer must have a net income of not more than \$21,000 or, if married, a combined net income of not more than \$30,000; and own assets not in excess of \$50,000 excluding the value of the person's residence.”

“Shall we modify the exemption for the blind under the provisions of RSA 72:37 from the assessed value of residential real estate for property tax purposes to the value of \$25,000 to address significant increases in property values? This statute provides that every inhabitant who is legally blind shall be exempt each year, for property tax purposes, from the assessed value on a residence in the amount determined by the Town.”

Mr. Warburton stated that at the Board of Selectmen had discussed the possibility of amending the exemptions for the elderly, blind and disabled for the 2003 tax year. Attorney Gearreald has amended his opinion that a petition is necessary and has indicated that the Board of Selectmen can call the Special Town Meeting. Mr. Warburton said that approximately 145 residents qualify for one or more of these exemptions. The exemption qualification is based on specific formulas set by the State and the Town can then designate the amount of the exemption. Mr. Warburton said that the cost of the Special Town Meeting is much higher than was anticipated.

Mr. Barrington showed the Board the most aggressive schedule possible to accomplish the meeting. The best case scenario would have the Deliberative session on September 25th with the Official Ballot voting on Thursday, October 23rd . Based on those dates, the earliest the tax bills would go out is November 14th. Mr. Barrington said that the Moderator, Paul Lessard worked with us very quickly today to put together the estimated costs associated with the ballot clerks and election costs. Also considered were the advertising costs and the impact of borrowing Tax Anticipation Notes due to the delay in getting the tax bills out. Mr. Barrington said that a conservative estimate for the cost of a Special Town Meeting is \$10,078.00. Mr. Barrington told the Board that they could vote to hold a Special Town Meeting tonight and begin the process. In order to avoid any delay, the required notices have been prepared and are ready to be sent to the newspapers.

Mr. Pratt said that in his opinion, the cost is too high for something that may benefit 145 residents, and he feels that the Board can make the adjustments for those taxpayers at the next Annual Town Meeting.

Mrs. Bridle had no comment. Mr. Sullivan said that he agrees with Mr. Pratt that the cost outweighs the benefit. Mr. Warburton said that he shares with Mrs. Bridle some frustration over this and said the Board of Selectmen's intentions were to help the elderly. Mr. Warburton said that in talking with the Moderator, he understands that there will be some concerns over this and noted that the Board will try to increase the exemptions in March.

**Mr. Pratt MOTIONED** that the Board of Selectmen not move forward with a Special Town Meeting to amend the elderly, blind and disabled exemptions.

**Mr. Sullivan SECONDED**

**VOTE: 3 FOR  
1 OPPOSED (Bridle)**

- 2. The Board of Selectmen will consider the acceptance of an access license from Golden Corridor, LLC for a connector road from Harbor Road to Duston Avenue and a Memorandum of Understanding regarding boat pier and dock.

Mr. Warburton noted that Attorney Saari was present for Golden Corridor. He explained that the Board of Selectmen has discussed the boat pier and dock that the Fire Department and the Town is in need of. A Memorandum of Understanding has been prepared on behalf of the principal, Mark Maynard for the Board's approval.

Mr. Barrington explained that Mr. Maynard called this week and asked for the town's assistance and offering a donation; Mr. Maynard needs to move forward on some real estate transactions for Phase 1 and Phase 2 before the end of the week and Attorney Gearreald and Attorney Saari have been working to see how the access easement could legally be accomplished in time. Mr. Maynard has also offered to fund the building of the dock for the Town.

Attorney Gearreald explained that an access license has been prepared for the same area, Duston Avenue to Harbor Road, that the Board has been holding Public Hearings to a perpetual easement. The Board is scheduled to vote on that easement on September 8th and Attorney Gearreald urged the Board to continue with that process. He explained that this access license being proposed is a "stop-gap" measure, until the perpetual easement is approved and will allow the plan to be recorded on Friday and allow Mr. Maynard to proceed with his real estate transactions. The Planning Board had required as part of the approval that the town have access to the property. Mr. Sullivan asked if any of this has to go back before the Planning Board before the Board of Selectmen takes action. Attorney Gearreald said that it does not; he explained that the Planning Board required the access as a condition of the approval and a memo from the Planner, Mrs. Kimball indicates that the Town may require an easement. Attorney Gearreald said that it is his opinion that the town's needs are served sufficiently by the access license. Mr. Sullivan asked if the Harbor Road extension will tie directly to the pier. Attorney Gearreald said that will happen eventually, as the Planning Board process for Phase 2 continues.

Attorney Gearreald explained that what is being requested of the Board is to accept the access license. The donation for the dock is a separate issue and has been part of the approval process for Phase 2. The Memorandum of Understanding gives the town the ability to say that the dock issue has been resolved.

**Mr. Sullivan MOTIONED** that the Board of Selectmen approve the access license for a connector road from Duston Avenue to Harbor Road.

**Mr. Pratt SECONDED**

**VOTE: 3 FOR  
1 OPPOSED (Bridle)**

Mr. Workman arrived at this time.

Memorandum of Understanding

Mr. Warburton said this is an agreement stating that Mr. Maynard will pay for and build a dock and pier for governmental use. Attorney Gearreald said that this Phase of the project will still have to go through the Planning Board process. Mr. Barrington clarified that the State will permit the pier, but the subdivision

is still in the Planning Board process. Mr. Sullivan asked if there is any new information about possible Federal funding. Mr. Barrington said that he has received a packet of possible grant sources from Liz Chamberlain in Senator Sununu’s office and Chief Lipe is reviewing that. At this time there are only possibilities for funding, but nothing certain. Mr. Barrington said that there have been discussions with Mr. Maynard over the past few months about the dock, and this proposed location is a relatively new suggestion in those negotiations. Mr. Barrington said that the town believes that this will serve the town’s needs as well if not better than the town owned, pier location. He added that this location is closer to the mouth of the harbor.

Mr. Warburton asked if the right-of-way easement will be shown on the plan. Attorney Gearreald said that the original one will be shown on the plan. Mr. Warburton asked if any of these items in the agreement will be in front of the Planning Board. Mr. Barrington pointed out item #11, which nullifies the agreement contingent on town approvals. Attorney Gearreald said that he is comfortable with the agreement.

**Mr. Sullivan MOTIONED** that the Board approve and authorize the Town Manager to sign the Memorandum Of Understanding with Mr. Maynard.

**Mr. Pratt SECONDED**

**VOTE: 4 FOR  
1 OPPOSED (Bridle)**

- 3. Consider authorizing the use of the unpaved Island Path parking lot (or alternate location) for bus parking during Seafood Festival.

Mr. Warburton read a letter from Mr. Dignam requesting permission from the town to utilize the Island Path extension parking lot for the parking of overland coach busses. Mr. Warburton said that the Conservation Commission has control of that parking lot and Mr. Barrington has been trying to get talk with Ellen Goethel about this. Mr. Warburton recommended that the Board approve the use of the lot, contingent on approval of the Conservation Commission. Mr. Sullivan asked if the Board of Selectmen still retain the control although the lot is under their jurisdiction. Mr. Barrington said that he believes the Town Meeting vote would override the Board of Selectmen’s statutory authority,

Mr. Workman said that the lot had been the source of discussion as an educational nature area and he does not know what has been done towards that end, but since it has been unused for a couple of years, there is a potential that wildlife has encroached back in. Mr. Workman said that he would not be in favor of using that lot. Mrs. Bridle said that the Island Path Committee brought up some very valid points during that process and she does not think the town needs the liability of having busses there.

Mr. Warburton said that it will be more work for the Police Department but it is not a major impact to the Seafood Festival. Mr. Barrington said that he asked Doc Noel how many busses to expect, and he did not know and said that historically there have been between 15-30. Mrs. Bridle asked if there is any place in any other lots. Mr. Warburton said that after 9 AM there will be no spaces anywhere, and he would rather send a message that we are not going to approve it, based on a specific reason. The people of Island Path will have additional traffic regardless, during that weekend.

Mr. Barrington said that he looked at the other town parking lots within the beach area and doesn’t believe the Town can accommodate the busses, without taking revenue from the town. Mr. Sullivan said that he will be abstaining because he feels he has a conflict of interest.

**Mr. Workman MOTIONED** that the Board of Selectmen deny the request to have charter busses park in the Island Path extension parking lot during the Seafood Festival.

**Mrs. Bridle SECONDED**

**VOTE: 3 FOR  
1 OPPOSED (Warburton)  
1 ABSTAIN (Sullivan)**

**Mr. Sullivan MOTIONED** to adjourn the special meeting. (6:40 PM)

**Mr. Pratt SECONDED**

**VOTE: UNANIMOUS FOR**

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Chairman