

Hampton Beach Village District

11-05-12P01:11 RCVD

The Precinct began as a direct result of the Town's failure to provide necessary and required municipal services.

June 26, 1907 was the establishment of the Village District for the extinguishment of fires, the sprinkling of the dirt streets, the supply of water for domestic and fire purposes and the maintenance of common sewers. In 1908 the Town voted to build a Beach sewer and with fire equipment purchased and hydrants installed, the Precinct has fulfilled its original goals.

A significant change in Precinct activities occurred in 1939, when the Legislature passed a bill, sponsored and supported by Hampton Beach Village District, to amend chapter 57 of the state laws to permit village districts to raise money for recreational promotion. The Precinct was quick to adopt the change, and, at the 1939 meeting, \$3,000 was appropriated for folders to be distributed at the New York World's Fair. That year the Precinct appropriated some \$15,000, most of which supported the fire department, with \$3,000 for promotion and \$1,500 for the playground.

1955 Budget \$42,000 with \$14,000 for advertising. District residents who did not have a recreational business began to question the expense. In 1957 came a campaign to end the precinct, believing it had served its purpose for which it was formed, the Precinct only existed for the fire department and Beach advertising.

1960 Budget \$45,000 with \$18,000 for advertising.

1970 Budget \$94,000 with \$56,000 for advertising & recreational activities.

The portion of the budget for advertising and recreational activities was growing, and those Precinct property owners who did not use their houses for business purposes felt they should not have to pay for these other items. In 1979, State Senator Robert Preston filed successful legislation that established a Precinct Homestead Exemption, whereby single family home owners would be exempted from paying that portion of the Precinct tax used for promotion.

In 1987 \$180,000 on advertising and entertainment, with only \$82,000 for fire dept. expenses, the original purpose for the Precinct.

In 1988, selectmen approved petitions to eliminate Boar's Head and North Beach from the district.

Hampton: A Century of Town And Beach 1888-1988

We are requesting the selectmen approve the petition to eliminate The Island section from the district as has been done for Boar's Head and North Beach.

Hampton Beach Village District

The Island section is composed of mostly single family homes used by the owners and their families. The Precinct budget continues to climb every year with the events put on for the benefit of the business's. Most of the the administrative costs are for the running of and marketing for events at the beach.

The home owners who claim the exemption have for years not received any benefit from income produced by the precinct. Commissioners a number of years ago made changes to the budget so that only nonexempt property owners benefitted from income to the precinct, creating very little difference in the amount of taxes being paid by the two groups.

Robert OKeefe
8 Concord Ave.

We the undersigned, residents of the area in the Hampton Beach Village Precinct referred to as the Island Section, beginning at Epping Ave. extending north to Haverhill Ave. and including all streets in between and running from Ocean Blvd. east to the Atlantic Ocean wish to petition the Hampton Board of Selectmen to formally remove us from the boundaries of the Hampton Beach Village Beach Precinct. We receive no benefit from being part of the Hampton Beach Village Precinct.

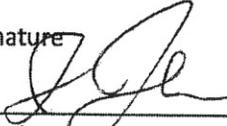
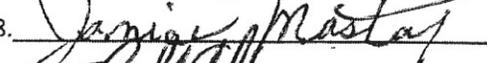
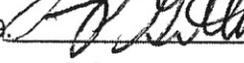
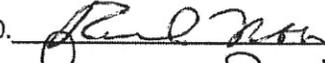
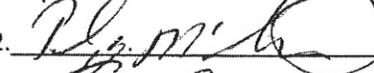
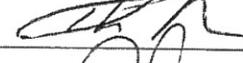
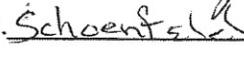
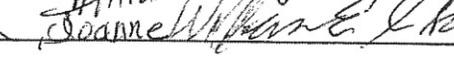
Print:Name	Signature	Address
1. Filken Mior	Filken M Mior	18-20 Concord Ave
2. Gloria Gera	Gloria Gera	13 Concord Ave
3. Phyllis Tremblay	Phyllis Tremblay	13 Concord Ave.
4. Lee Gera	Lee Gera	13 Concord Ave.
5. STEPHEN JOYCE	Stephen Joyce	12 Dover Ave
6. Lynn Ann Grainger	Lynn Ann Grainger	3 rd 5 Dover Ave.
7. E. F. Mulloy	CRAIG MULLEN	8 Dover Ave
8. E. F. Mulloy	Ed Mulloy	10 Dover Ave.
9. Mark Margolis	Mark Margolis	6 Dover Ave
10. Donna Margolis	Donna Margolis	6 Dover Ave
11. Michael Robinson	Michael Robinson	41 Dover Ave
12. Andrew Guthrie	Andrew Guthrie	30-36 River Ave
13. David Guthrie	David Guthrie	338 Plymouth St
14. Frederick Guthrie	Frederick Guthrie	20 Boston Ave
15. Catherine Guthrie	Catherine M. Guthrie	+ 10 Boston Ave
16. Patrice Christensen	Patricia Christensen	12 1/2 Epping Ave,
17. John Christensen	John Christensen	12 1/2 Epping Ave
18.		
19.		
20.		

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- | Print : Name | Signature | Address |
|--------------------------------------|----------------------------------|---------------------------|
| 1. JUNE WHITE | June White | 8 River Ave. |
| 2. GARY C KEER | Gary C Keer | 7 BOSTON AVE |
| 3. KATHERINE KEER | Katherine Keer | 7 Boston Ave |
| 4. ROBERT KEER | Robert Keer | 6 Concord Ave |
| 5. JANE IOKEEFE | Jane Iokeefe | 8 Concord Ave |
| 6. William Doh | Wm Doh | 1 Boston Ave |
| 7. CAROLYN FORGET | Carolyn Forget | 4 Boston Ave |
| 8. BERNIE FORGET | Bernie Forget | 4 Boston Ave |
| 9. Richard Schuck | Richard Schuck | 18 Boston Ave
12-14-16 |
| 10. WALTER WYSE | Walter Wyse | 3 River Ave |
| 11. THERESA WYSE | Theresa Wyse | 3 River Ave |
| 12. Walter Sore | Walter Sore | 30 Ocean Blvd |
| 13. Joseph P. m ^c my akow | Joseph P. m ^c my akow | 34 OCEAN BLD. |
| 14. Carol Downs | Carol Downs | 36 Ocean Blvd |
| 15. Elaine Hajjan | Elaine Hajjan | 4 Bradford Ave |

Continued; page 2

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Print:Name	Signature	Address
16. JAMES J. CRANKOVIC		6 BRADFORD EAST
17. 		6 Bradford West
18. Janine Mastay		5 Bradford Ave
19.  Trustee Boston St. Rth. T.		20 Boston Ave.
20. 		15 Boston Ave
21. Teresa Reddy	Teresa Reddy	17 Concord Ave
22. 	PAUL MCGOWAN	22 Concord Ave
23. THOMAS BOWEN		11 Concord Ave
24. RALPH NICKERSON		9 CONCORD AVE
25. SUSAN TAFEE		7 CONCORDS AVE
26. 		19 Dover Ave
27. Schoentz  William	Joanne 	19 Bradford Ave
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TITLE III TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 52 VILLAGE DISTRICTS

Section 52:5

52:5 Changing Boundaries. –

I. The selectmen of towns in which any such district has been established upon petition, after notice to parties interested and a hearing, may change the boundaries thereof; and the district shall cause the petition and the return of the selectmen's proceedings and decision thereon to be recorded in the records of the district, and of the towns in which it is situated, within 60 days after the decision.

II. In the case of any district formed for the purpose of impoundment of water, any such change of boundaries shall be ratified before taking effect by the voters domiciled in the district and in any area proposed to be added to the district in the same manner as is required for the initial establishment of the district.

III. In the case of any district formed for the purpose of the supply of water for domestic and fire purposes, which may include the protection of sources of supply, any such change of boundaries shall be ratified before taking effect by the voters domiciled in the district and in any area proposed to be added to the district in the same manner as is required for the initial establishment of the district.

Source. 1853, 1421. GS 97:6. GL 107:6. 1887, 28:1. PS 53:4. PL 57:5. RL 70:5. RSA 52:5. 1975, 13:2. 2002, 174:2. 2003, 289:17, eff. Sept. 1, 2003.

Shaines & McEachern

Professional Association, Attorneys

July 21, 2000

**VIA FACSIMILE 603-926-6853
AND U.S. FIRST CLASS MAIL**

Mr. James S. Barrington
Manager, Town of Hampton
100 Winnacunnet Road
Hampton, NH 03842

RE: Fire Protection / Hampton Beach Village District

Dear Mr. Barrington:

Please be advised that I have reviewed the legal opinion of Attorney Patricia M. Weathersby, of Sanders & McDermott in Hampton, with respect to the issues involved in the discontinuance of the provisions for fire protection for the Hampton Beach Village District, with said responsibilities being taken over by the Town of Hampton as a whole. Attorney Weathersby is correct in her conclusions. However, a simpler procedure could be utilized to accomplish the goal as Attorney Weathersby implies. However, her method will provide for maximum public awareness.

In addition, I have reviewed the available history regarding the Hampton Village District. As you know, the Village District was created in 1907 for the following purposes:

1. Extinguishment of fires, sprinkling of streets, the supply of water for domestic and fire purposes and maintenance of common sewers. Additional purposes added later on included the following:

- A. The lighting of streets.
- B. The planting and care of shade and ornamental trees.
- C. The construction and maintenance of sidewalks.
- D. The construction and maintenance of plain drains or common sewers.
- E. The construction of maintenance and care of parks and commons.
- F. The construction or purchase and maintenance of a municipal lighting plant.
- G. The appointing and employing of a watchman and police officers.

More recently, an article was adopted to add tourism to the list of purposes to which the district was authorized to conduct activities. Many of the purposes have been taken over by the Town by defacto operation over the years.

Shaines & McEachern

Professional Association, Attorneys

Mr. James S. Barrington
Manager, Town of Hampton

RE: Fire Protection / Hampton Beach Village District

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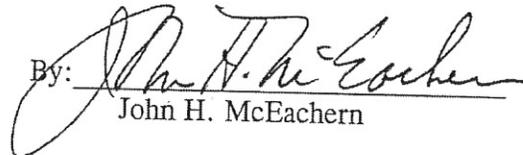
July 21, 2000

This result is not inconsistent with the holding in the case of Granite State Land Company v. Town of Hampton (1911 76NH1, 79A25), which in essence held that the Town has the authority to provide for sewers in the Hampton Beach Village District, and that the power of the District itself to provide for such sewers would only be necessary in the event the Town, as a whole, did not deem it necessary to expend the funds for that section of town. Thus, the Town as a whole, pursuant to its general taxing authority, appears to be able to provide by vote of the Board of Selectmen, for any of the purposes listed above or others, if any, that may have been authorized for the Hampton Beach Village District.

Very truly yours,

SHAINES & McEACHERN, P.A.

By:



John H. McEachern

JHM/ef