

**SUNAPEE SELECTBOARD  
MEETING MINUTES  
TOWN OFFICE MEETING ROOM  
Monday, November 13, 2023, 6:30 P.M.**

**Present:** Chair Carol Wallace; Vice Chair Suzanne Gottling; Members Josh Trow, Jeremy Hathorn, and Frederick Gallup

**Also present:** Town Manager Shannon Martinez; Emily Wrenn

**Meeting called to order at 6:39 p.m. by Chair Wallace, who led the Pledge of Allegiance.**

**1. REVIEW OF MINUTES**

**MOTION to approve the minutes as amended for the October 16, 2023, Select Board meeting, and the minutes as written for the October 30, 2023, Select Board meeting made by Member Gottling, seconded by Member Trow. All voted in favor.**

**2. REVIEW OF ITEMS FOR SIGNATURE**

**CZCs**

- Parcel ID: 0114-0066-0000, 114 Fairway Drive, Ivey Trust Agreement, Mary B & Allen E Ivey
- Parcel ID: 0114-0065-0000, 113 Fairway Drive, Rudaw Living Trust, Lauren Bowe
- Parcel ID: 0115-0006-0000, 40 Burma Road, James Riter
- Parcel ID: 0226-0011-0000, 250 Youngs Hill Road, Joseph & Sara Walz
- Parcel ID: 0118-0051-0000, 90 Burma Road, Daniel Cave
- Parcel ID: 0148-0045-0000, 640 Edgemont Road, Timothy & Linda Julian

**LAND DISTURBANCE**

- Parcel ID: 0117-0023-0000, 72 Marys Road, David & Daniel McInnis
- Parcel ID: 0118-0051-0000, 90 Burma Road, Daniel Cave

**DEMO PERMIT**

- Parcel ID: 0118-0051-0000, 90 Burma Road, Daniel Cave

**Consent Agenda: MOTION to approve CZCs, Land Disturbance, and Demo Permit made by Member Hathorn, seconded by Member Trow. All voted in favor.**

Chair Wallace recused herself from the Board.

**LAND USE CHANGE TAX**

- Parcel ID : 0239-0019-0000 Messer Road , George C. & Deborah A. Grant
- Parcel ID : 0140-0022-0000 68 Burhaven Lane, Compass Point, LLC.
- Parcel ID : 0203-0007-0006 121 Granite Ridge, Norris Revocable Trust
- Parcel ID : 0203-0007-0007 Granite Ridge, Kirk & Colleen Bruns

**Consent Agenda: MOTION to approve Land Use Change Tax made by Member Trow, seconded by Member Gallup. All voted in favor, with one abstention.**

Chair Wallace returned to the Board.

#### **CHARITABLE EXEMPTION**

- Lake Sunapee Protective Association
- Sunapee Heritage Alliance
- Sunapee NH Historical Society
- YMCA Camp Coniston

#### **RELIGIOUS EXEMPTION**

- Lake Sunapee Baptist Church
- Our Lady of Unity
- St. James Church Rector
- St. James Epifocal Church
- St. Joachims Catholic Church
- Sunapee Methodist Church

#### **EDUCATIONAL EXEMPTION**

- Broom Family Foundation

#### **USE OF FACILITIES**

- Meagan Reed requesting use of Ben Mere / Bandstand on November 30th, 2023, from 6:00pm to 7:00pm for a Candlelight Vigil
- Project Sunapee requesting use of Sunapee Harbor on December 9th, 2023, from 12:00 p.m. to 5:00 p.m. for horse and wagon rides for a Christmas event at the Livery

**Consent Agenda: MOTION to approve Charitable Exemption, Religious Exemption, Educational Exemption, and Use of Facilities made by Member Hathorn, seconded by Member Gottling.**

The Board agreed the organizations under Charitable Exemptions are listed as non-profits. Chair Wallace noted the Board received a letter from Tanner Royce regarding the eligibility of the LSPA as a charitable exemption. Ms. Gottling said that all tax documentation were filed in a timely fashion.

Mr. Royce noted the Town has the right not to grant a tax exemption, despite an organization's non-profit status. He provided a deposition where he said the former director stated they do not have legal funds in their budget, they can use their funds as they wish, and suing him does not further their mission of protecting the lake and watershed. He also pointed out the potential of a conflict of interest for a Select Board member. Ms. Gottling noted that this potential exists throughout the Town, with numerous Committee members donating to organizations they vote on.

Chair Wallace asked if any Board member objected to the LSPA being considered as a charitable exemption for the Town. A discussion ensued regarding the concerns Mr. Royce voiced in his letter. Chair Wallace noted the letter has been read and is in the reading file for the public to see. Elizabeth Harper of the LSPA said it is a matter of record that they have filed their taxes. She shared a publication regarding their funding, their mission, and the services they are providing to the community.

**All voted in favor, with Member Hathorn abstaining.**

### **3. APPOINTMENTS**

#### **7:00 – Laura Trow, Welfare Administrator**

Laura Trow appeared before the Board. She noted there have been multiple donations and would like to accept \$5,841 in unanticipated revenue for use in the Food Pantry. She stated their primary goal is to improve the quality of the goods in the Weekend Backpack Program. She said proceeds from Empty Bowl are used for the Christmas program.

**MOTION to accept \$5,841 into the Food Pantry from various donors made by Member Gallup, seconded by Member Trow. All voted in favor.**

### **4. PUBLIC COMMENT:** (Public comments can be heard in full [here](#), beginning at 7:05 p.m.)

- **Tanner Royce**, 23 Central Street, thanked Mr. Hathorn for admitting he did not have time to read the documentation he submitted. He said Ms. Gottling called the LSPA and requested that the director appear at the meeting instead of reading the documentation. He said the LSPA does not have a line item for legal fees in their budget, which is why the former executive director is quoted as saying funds are fungible. He also said that in the deposition he provided there is discussion regarding why the LSPA is suing his family. He would like the Board to pay attention to these issues. He noted the Board does not have to grant the LSPA the right to act this way and to claim a charitable exemption. He said the LSPA is not using the funds as directed by their mission. He said Ms. Gottling has a conflict of interest in this issue and there are other instances in Town of issues regarding conflict of interest.
- **John Augustine**, 296 Nutting Road (via Zoom), said in recent minutes, it said the Select Board was surprised at the county tax assessment. He was surprised they would be surprised at anything coming out of the county, as the state representatives should be attending all county budget discussions and reporting back. He encouraged the Board to invite Representatives Tanner and Damon to an upcoming Board meeting to explain the large increase in the tax assessment and if this will occur again in the future. He would like to know if they have done anything to mitigate the increase. He also urged the Board to invite the School Superintendent to brainstorm on how the Town and School can work together to lower the operating costs of each organization. He was disappointed that during the discussion on November 7, there was no effort spent on how to be more efficient by working with other organizations. He said in a recent InterTown Record, it was stated the Town Manager said the Riverway properties get a lower property tax assessment because they are seasonal businesses. He does not

believe this is correct and believes there should be a discussion as to whether this is an accurate statement.

- **Chris Whitehouse** reviewed a New Hampshire Department of Justice memo on Right to Know. He said the Town Right to Know form asks for information that is not required by law. He said the delivery aspect of the form is ridiculous and it should be done electronically. He said this is a process of obstruction. Regarding the comment on the form about "you can't prove that it's true," he said it's a public record and the public record is true. He said this needs to be reworded. He asked the Board if the things recommended in the watershed program for Perkins Pond were followed. He said the \$2.3 million spent on the pond is a waste of money.
- **Lisa Hoekstra** said Ms. Martinez and Ms. Wrenn have indicated there have been glitches with the STR management system and that the LSSTRA has heard from some STR owners that they have issues with the registration forms and processes. She said there are issues on both sides of the platform and asked for data on these issues. She would like the Town to collect fact-based information to be able to move forward. She said the Board is not making decisions based on logic. She said the threat of legal action from the Town against STR owners will not work, as case law is on the STR owners' side. She asked if the Town wants to continue to waste money on legal fees, as the cost is already too high. She said the LSSTRA has ideas to help the STR process move forward more smoothly, but they will not share them during public comment. They would like a dialogue with the Town Manager and others to share these ideas. She would like a discussion guided by a professional mediator to bring healing over the STR debacle.
- **Peter Hoekstra**, 25 Maple Street, asked, regarding demolition permits, how the public can be assured that the hazardous materials in existing structures are removed prior to demolition. He does not think the Town abides by DES requirements. He formally requested that this be put on the agenda to discuss these requirements. He said a report was presented at the Planning/Zoning meeting that appeared to be written by the Upper Valley Lake Sunapee Regional Planning Commission. He confirmed that the report as entered in the agenda was written by a member of the Sunapee ZBA and presented by a member of the Planning Board. He said at the next Planning Board meeting, a 120-day cap for STR will be discussed. He shared data regarding home sales and statistics on STRs from a New Hampshire housing study. He asked that the Town base decisions on real data when discussing new regulations.
- **Christine Corey** said she thinks the wording needs to be changed on the electronic copy authorization on the Right to Know form. She asked if this says that the data may or not be right. She said if the Town is supposed to be responsible for millions of dollars of taxpayers' money, the information the Town is keeping should be 100% correct. She would like the Board to move to reconsider the October 30<sup>th</sup> motion about the voting machines. She does not believe it was clear that there were two options. She would like the voters to decide which machine to use. The second option uses open source data, so there can be no secrets. She said the other machine is Dominion and the Board should do their research on this company.
- **Peter White** asked if the CZCs were approved earlier and Chair Wallace confirmed they were.

## 5. SELECTBOARD ACTION

### **Right to Know Policy Review**

Ms. Martinez noted this policy was approved by the Board in 2006. It has been reviewed by counsel, who verified it is what it needs to be. She noted that while the Town can provide information, such as a report, it cannot confirm or deny the source of the information. She said the policy is in line with what most other towns do.

She said the intention is to cut down on the number of people looped in on the process as well as cut down the back-and-forth communication. She noted the process is being used for business purposes. The NHMA is aware that towns are receiving more Right to Know requests. They want to ensure the towns are lined up with the RSA as well as making sure extra requests, such as those being used for business purposes and not government transparency, are being handled correctly.

She said a training guide provided by the Mitchell Municipal Group will be integrated into the new HR manual and policies. Department heads and those who communicate with the public need to take the Right to Know training.

The Board asked Ms. Martinez to provide a document for the Board to sign off on, confirming they have reviewed the policy and associated information.

Lisa Hoekstra reiterated the definition of information in the RSA says information provided should include other forms than written. Ms. Martinez said the Town has received guidance as to what constitutes a government record. She suggested these discussions could be held in other forums and this meeting is to discuss how the Board would like to move the policy forward.

Chair Wallace asked the Board's opinion of having a Right to Know request online in a unidirectional format. Mr. Trow noted it should not preclude other ways of sharing the data, such as in person. Ms. Martinez clarified they are attempting to bring more organization to the process. Mr. Trow asked if there is a way to ensure the person requesting the information is the one who receives it, if they do not want to identify themselves. Ms. Martinez said this is not possible.

Ms. Martinez verified that a government record must be in physical form to be requested, per the RSA.

The Board discussed why information cannot be emailed. Ms. Martinez said the Right to Know law says they are not required to deliver government records other than at the place where they work. She said it is also to ensure equity, that everyone is treated the same. The Board discussed the use of a USB drive to provide the requested information. They agreed to charge for copies in excess of \$10 and not to charge for the USB drive.

**MOTION to readopt the Right to Know Information Request Policy, with the amendments that a USB stick to the tune of \$10 will be provided by the Town or a**

**customer can provide their own sealed one, and for printed hard copies, up to \$10 worth of page sides will be provided and beyond that is at the cost of 25 cents per side made by Member Trow, seconded by Member Gallup. All voted in favor.**

**Certificate of Appointment – Jeffrey Kellner, Conservation Commission**

**MOTION to accept the certificate of appointment for Jeffrey Kellner, Conservation Commission, and the resignation of Sylvia Kellner made by Member Trow, seconded by Member Hathorn. All voted in favor.**

**6. TOWN MANAGER REPORT**

**Court Date Set**

Docket No. 2023-0189, Appeal of Elizabeth Hoekstra and Peter Hoekstra, Court Date Set: November 29, 2023, at 10:00 a.m.

**Short-Term Rentals**

Ms. Martinez said they are tracking developments of the Planning Board's amendment to Section 4.95, which would impact the number of rental days, occupancy limits, and Owner-in-Residence / Not-in-Residence. There is a Planning Board meeting on November 16<sup>th</sup> to discuss this. Anything decided will become enforceable the day the Public Hearing is posted in the paper (December 7<sup>th</sup>).

Mr. Gallup asked if the Select Board could meet with the Planning Board to discuss not enforcing the amendment, to give the process that's in place a chance to work. Mr. Trow noted the Board can discuss the amendments at their next meeting. He said they can provide input, but he felt it is not the Board's responsibility to tell Planning and Zoning how to do their jobs.

Ms. Martinez reviewed the current STR registrations and the associated deadlines. The Board discussed the difficulties in obtaining registrations.

**Budget Day Follow-Up Meetings**

Proposed meetings to discuss the budget: November 27 and December 11, 2023. At the November 27<sup>th</sup> meeting, the team coming out of the budget meeting will provide a more comprehensive overview of the Town's approach to compensation.

**2023 Selectboard Meeting Schedule:** November 13 & 27, December 4 & 18

**2024 Selectboard Meeting Schedule:** January 8 & 15, February 5

**Budget Public Hearing:** January 8, 2024

**FY 2022 Audit**

Ms. Martinez provided hard copies for the Board's review and posted an e-copy online. She noted that many of the same findings have been repeated and suspects that FY23 will be much the same. With complete turnover in the Finance Department (two times over), they

have not been able to cement the changes they want to implement. With a new team in place, they hope to see many good things happen in 2024.

### **Muzzey Hill**

Ms. Martinez shared an update from the DOT regarding Muzzey Hill Road. They expect to begin working on the project in the summer of 2024. They sent a letter seeking feedback concerning any environmental concerns associated with this project. She will reach out to the Conservation Commission to discuss this further.

### **Unanticipated Revenue**

Ms. Martinez reported receipt of \$34,039.23 as part of a one-time road and bridge payment from the State of New Hampshire. A public hearing is needed to accept these funds. These monies may be used to provide services that repair, maintain, and construct municipal bridges; repair class IV and class V roads; advancing sidewalk construction adjacent to a Class V road.

**MOTION to set a Public Hearing at 6:30 p.m. on November 27, 2023, for accepting the block grant in the amount of \$34,039.23 made by Member Trow, seconded by Member Hathorn. All voted in favor.**

### **Warrant Booklet/Town Vote Materials**

There have been 11 survey participants to date. Ms. Wrenn shared the results of these surveys.

### **Of Note**

The Housing Appeals Board commended Allyson Traeger on the compilation and presentation of the KTP certified record and noted that she could give other Towns a course.

The Highway Department was complimented for helping a resident resolve a concern that would hinder their receiving mail from the United States Postal Service.

## **7. SELECTBOARD MEMBERS' REPORT**

Ms. Gottling responded to a statement made that was not true. She did not call the director of the LSPA and ask her to attend the Select Board meeting. She felt the director needed the opportunity to respond.

Mr. Hathorn apologized for not having time to read Mr. Royce's document. He thanked the Highway Department for removing the bump on Prospect Hill Road.

Chair Wallace asked what is causing the rash of accidents on Route 11 in Georges Mills. The Board agreed it is a bad intersection. She noted there has been a lot of discussion regarding conflict of interest and Board members recusing themselves. She does not feel any further discussion is needed. The Board agreed.

## **8. UPCOMING MEETINGS**

- November 14, 2023, Recreation Committee Meeting – 7:00 p.m.
- November 16, 2023, Planning Board Workshop – 6:30 p.m.
- November 16, 2023, Abbott Library Trustees Meeting – 7:00 p.m.
- November 17, 2023, Community Conversation with the Town Manager – Time TBD
- November 27, 2023, Selectboard Meeting – 6:30 p.m.

## **9. ADJOURNMENT**

The meeting was adjourned at 8:37 p.m.

Respectfully submitted,

Beth Haggeli  
Recording Secretary

# SIGN-IN SHEET

SUNAPEE SELECTBOARD MEETING

DATE: NOVEMBER 13<sup>th</sup>

Jane Boyd

Christine Carey

Don Heston

Peter Hoenstra

Craig Hone/Talbot Builders

Elizabeth Harper

PETER WHITE

Mark St.

Maple St.

Ally St.

**SUNAPEE SELECTBOARD  
MEETING AGENDA  
6:30PM TOWN OFFICE MEETING ROOM  
Monday, November 13<sup>th</sup>, 2023  
Join us on Zoom: <https://us06web.zoom.us/j/86066395397>**

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- **APPROVE MINUTES**

- October 16, 2023
- October 30, 2023

- **REVIEW OF ITEMS FOR SIGNATURE:**

**CZC's**

- Parcel ID: 0114-0066-0000, 114 Fairway Drive, Ivey Trust Agreement, Mary B & Allen E Ivey
- Parcel ID: 0114-0065-0000, 113 Fairway Drive, Rudaw Living Trust, Lauren Bowe
- Parcel ID: 0115-0006-0000, 40 Burma Road, James Riter
- Parcel ID: 0226-0011-0000, 250 Youngs Hill Road, Joseph & Sara Walz
- Parcel ID: 0118-0051-0000, 90 Burma Road, Daniel Cave
- Parcel ID: 0148-0045-0000, 640 Edgemont Road, Timothy & Linda Julian

**LAND DISTURBANCE**

- Parcel ID: 0117-0023-0000, 72 Marys Road, David & Daniel McInnis
- Parcel ID: 0118-0051-0000, 90 Burma Road, Daniel Cave

**DEMO**

- Parcel ID: 0118-0051-0000, 90 Burma Road, Daniel Cave

**LAND USE CHANGE TAX**

- Parcel ID : 0239-0019-0000 Messer Road , George C. & Deborah A. Grant
- Parcel ID : 0140-0022-0000 68 Burkehaven Lane, Compass Point, LLC.
- Parcel ID : 0203-0007-0006 121 Granite Ridge, Norris Revocable Trust
- Parcel ID : 0203-0007-0007 Granite Ridge, Kirk & Colleen Bruns

**CHARTIABLE EXEMPTION**

- Lake Sunapee Protective Association
- Sunapee Heritage Alliance
- Sunapee NH Historical Society
- YMCA Camp Coniston

**RELIGIOUS EXEMPTION**

- Lake Sunapee Baptist Church
- Our Lady of Unity
- St. James Church Rector
- St. James Epifocal Church
- St. Joachims Catholic Church
- Sunapee Methodist Church

**EDUCATIONAL EXEMPTION**

- Broom Family Foundation

## USE OF FACILITIES

- Meagan Reed requesting use of Ben Mere / Bandstand on November 30<sup>th</sup>, 2023 from 6:00pm to 7:00pm for a Candlelight Vigil
- Project Sunapee requesting use of Sunapee Harbor on December 9<sup>th</sup>, 2023 from 12:00pm to 5:00pm for horse and wagon rides for a Christmas event at the Livery

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### • APPOINTMENT:

- 7:00 Laura Trow, Welfare Administrator

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### • PUBLIC COMMENT:

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### • SELECTBOARD ACTION:

- Right to Know Policy Review
- Certificate of Appointment – Jeffrey Kellner, Conservation Commission

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### • TOWN MANAGER REPORT:

- Docket No. 2023-0189, Appeal of Elizabeth Hoekstra and Peter Hoekstra, Court Date Set: November 29, 2023, at 10:00 AM
- Budget Day Follow Up Meetings:
  - 27 November 2023
  - 11 December 2023

### • SELECTBOARD MEMBERS' REPORT:

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### • UPCOMING MEETINGS:

- November 14, 2023, Recreation Committee Meeting – 7:00pm
- November 16, 2023, Planning Board Workshop – 6:30pm
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- November 17, 2023, Community Conversation with the Town Manager – Time TBD
- November 27, 2023, Selectboard Meeting – 6:30pm

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**NONPUBLIC:** The Board of Selectmen may enter a nonpublic session, if so voted, to discuss items listed under RSA 91-A:3, II

**SUNAPEE SELECTBOARD  
MEETING MINUTES  
6:30 PM TOWN OFFICE MEETING ROOM  
Monday, October 16, 2023**

**Present:** Chair Carol Wallace; Vice Chair Suzanne Gottling; Members Josh Trow and Jeremy Hathorn. **Also present:** Town Manager Shannon Martinez; Emily Wrenn

**Meeting called to order at 6:33 p.m. by Chair Wallace, who led the Pledge of Allegiance.**

**1. REVIEW OF MINUTES**

The Board reviewed the draft minutes for the October 2, 2023, Select Board meeting.

**MOTION to approve the minutes as written for the October 2, 2023, Select Board meeting was made by Member Trow and seconded by Member Gottling. All voted in favor.**

**2. REVIEW OF ITEMS FOR SIGNATURE**

**CZCs**

- Parcel ID: 0225-0067-0000, 5 Riverside Drive, Kurt & Susan Kanags
- Parcel ID: 0107-0057-0000, 24 Otter Hill Road, Charles & Patricia Jacobs
- Parcel ID: 0238-0060-0000, 43 Sioux Path, Edward Gross
- Parcel ID: 0118-0057-0000, 60 Burma Road, Linda Johnson
- Parcel ID: 0235-0092-0010, Greenwood Lane, Julita & Michael Cinguina
- Parcel ID: 0203-0007-0006, 121 Granite Ridge Road, Christopher & Nancy Norris

**LAND DISTURBANCE**

- Parcel ID: 0121-0004-0000, 94 Woodland Road, Mountain View Revocable Trust
- Parcel ID: 0118-0057-0000, 60 Burma Road, Linda Johnson
- Parcel ID: 0140-0020-0000, 55 Burkehaven Lane, Peter & Andrea Enzinger
- Parcel ID: 0108-0008-0000, 57 Westwood Road, Christine Regan & Thomas Erickson
- Parcel ID: 0147-0055-0000, 88 Hamel Road, Fennario, LLC

**PERMIT TO EXCAVATE**

- Parcel ID: 0133-0050-0000, 73 Lake Avenue, Michael & Stacey Vinick

**DRIVEWAY PERMITS**

- Parcel ID: 0218-0042-0000, 75 Apple Hill Road, Lisa & Colby Mack

- Parcel ID: 0215-0027-0000, 95 Apple Hill Road, Laura & George Curt
- Parcel ID: 0104-0081-0000, 1005 Lake Avenue, Margaret & Nicholas Chunias

Chair Wallace asked the Board if she should recuse herself for two issues, as one involves a neighbor and one involves a builder and landscaper who are working for her. The Board said there was no need for her to recuse herself.

**Consent Agenda: MOTION to approve CZCs, Land Disturbance, Permit to Excavate, and Driveway Permits made by Member Trow, seconded by Member Gottling. All voted in favor.**

### 3. APPOINTMENTS

#### **6:45 p.m. - Highway Director Michael Martell**

Highway Director Michael Martell appeared before the Board to request approval for the Highway Department to use more treated salt and less SuperSand in their treatment of winter roads. He noted that gravel roads need less grading in the summer, with the use of treated salt. Mr. Martell pointed out the cost savings between the two methods, which includes the impact on equipment and additional manpower needed for road cleanup at the end of the season. He also reviewed the environmental and health impact of the use of the chemicals in the SuperSand.

The Board discussed the pros and cons of each method.

Town Manager Martinez noted that Mr. Martell has researched this topic thoroughly, including working with LSPA to ensure the use of treated salt will not negatively impact the lake.

**MOTION to enthusiastically endorse the change in the treatment of the Town roads from untreated salt and SuperSand to treated salt was made by Member Gottling and seconded by Member Trow. All voted in favor.**

The Board thanked Mr. Martell for his work on this proposal.

#### **7:00 p.m. - Fire Chief John Galloway**

Fire Chief John Galloway appeared before the Board to present an update on the Fire Department. He reviewed organizational changes, trainings held, and the certifications firefighters have achieved. Jake Paris of the Fire Wards noted the importance of these certifications, both now and in the future. Mr. Paris credited Chief Galloway for bringing the firefighters up to these certification levels in a short amount of time.

Chief Galloway noted Sunapee serves as a steppingstone. Firefighters receive training and certification but due to the lack of options, move to other Towns. Mr. Paris said they hope to present a warrant article in the future to have members in the fire station regularly.

Chief Galloway reviewed Department activity since September 1, 2023, including unanswered calls. Mr. Paris noted the unanswered call numbers are low, due to young firefighters responding to them. He warned the numbers will increase as these firefighters

gain experience and training and move onto other Towns. Towns are actively recruiting candidates as they complete college and Fire Academy training.

Chief Galloway reviewed grants and donations the Department has received in the last three years, and how they were utilized. The three-year total of grants and donations received is \$630,217.

Ms. Martinez noted it is difficult to find firefighters to take the per diem shifts. She described the problems not having a full-time chief is causing. She expressed the Town's appreciation for the hard work the Chief and the Department are doing, and the individual achievements of the firefighters.

Ms. Gottling asked how many firefighters work for more Towns than Sunapee and the Chief estimated five, usually the younger firefighters. Ms. Gottling asked who pays for the firefighters to obtain training and the Chief said while many classes are offered by the Town, the firefighters pay for advanced training offsite themselves. Ms. Gottling asked if it is possible to support a family or a home on a firefighter's salary in Sunapee and Mr. Paris said it is not. Mr. Paris clarified per diem shifts pay less than the industry standard.

The Board thanked the Chief and Mr. Paris for their presentation.

#### **7:15 p.m. - Conservation Commission**

Barbara Chalmers and Tim Fleury of the Sunapee Conservation Commission appeared before the Board, along with Matthias Nevins, a forester with Meadowsend Timberlands, LTD. They presented their proposal to restore the historic meadow at Dewey Woods. Restoration work needs to occur when the ground is frozen, so they plan to solicit bids for the work in November. They hope to renew the pollinator habitat and present opportunities for low-impact recreation.

They explained logs will be skidded along old Route 11, which is a Class V highway, and across abutters' property to the Town's Highway storage yard, where they will be processed. They have permission from the abutters to cross their property. The Commission will ask for two separate intents to cut and for the timber tax to be waived.

There will be a public information site walk on November 6 at 1:00 p.m. at the meadow. There is no tax impact; the costs will be covered by Conservation funds and any revenue would go into the Dewey Woods fund.

The Board expressed their support for this initiative.

Ms. Chalmers shared historical information about the Osborne reflecting pool and the hydro-pump station in the Harbor.

#### **4. PUBLIC COMMENT:** public comments can be heard in full [here](#), beginning at 7:49 p.m.

- **Lisa Hoekstra, president of the Lake Sunapee Short-Term Rental Association (LSSTRA)**, noted that decisions made without input from the LSSTRA have caused division and broken trust, and they would like to rebuild that trust. They feel that the

current registration and regulation documents are unenforceable, discriminatory, and parts are illegal. She said if they had been included in the process, this would not be an issue. They appreciate that some of their edits to these documents have been adopted. LSSTRA would like to have an appointment before the Select Board on the agenda to begin discussions about proposed changes to make the regulations more palatable for them. They asked the Board to reconsider Cordell Johnston as their legal representation for STR issues. Ms. Hoekstra asked that the Board consider using herself and Sheryl Rich-Kern as editors on documents regarding STR before they are released to the public. Chair Wallace verified that Ms. Hoekstra proved she is authorized to represent the LSSTRA.

- **Stu Greer, co-chair of the LSPA Watershed Committee**, said salt will kill a lake quicker than anything else. He commended Highway Director Martell for being an early adopter of reducing the use of salt on the Town roads. He also thanked the Board for approving this proposal.
- **Kirk Bishop, co-chair of the LSPA Watershed Committee**, complimented the Sunapee Conservation Commission on their presentation regarding the restoration of the meadow at Dewey Woods. He also expressed his support of Fire Chief Galloway and the work the Fire Department is doing. He complimented Highway Director Martell for taking an innovative stance on winter road treatment and the Board for their support of this initiative. He asked the Town and its residents to use less chloride on their driveways and sidewalks and to use potassium formate and sodium formate instead.
- **Christine Corey** asked the Board to create a clear procedure on how the community is to ask questions of the Board, other than coming to the Select Board meetings. She said emails being sent to the Board are not being answered and wanted to know how to resolve this problem. She said it is frustrating on both sides, and the Board and residents need to work together.
- **Chris Whitehouse** commended Chair Wallace on offering to recuse herself from consideration of earlier issues and that it was ethical behavior. He said that law enforcement oversees enforcing ordinances, not the Select Board. He said the comment regarding eliminating public comment at the last meeting was off-putting and it reflects the Board's opinion of the public. He said it is nefarious to consider limiting people's attendance at public meetings, whether by Zoom or in person. He said the Board needs to think about conversations before they have them and whether the issues being discussed are in the Board's purview. He said the Board overstretches their power and he recommended they stick to the powers they do have instead of attempting to control things they are not tasked with. He does not believe the commercial properties in Sunapee Harbor were accurately assessed.
- **Lisa Hoekstra** said she is pleased the ethics policy is being reviewed. She said some of her and her husband's experiences with various Town Boards and committees have caused personal and business hardships, so they have a personal stake in seeing how the Town adopts a high set of standards for all Town Board members and employees to follow. She hopes the Board will consider creating a clear directive for what is published in the Select Board agenda and minutes. She believes there are selective inclusions and exclusions of documents regarding the STR process and their personal court case. She said these sensitive documents should be all in the Agenda and minutes, or none. She said Board members should be aware of conflict-of-interest issues.

## **5. SELECTBOARD ACTION**

### **Review of Town of Sunapee Ethics Policy**

The Board reviewed the Town ethics policy. They discussed changes in the formatting of the policy to avoid repetition and to make it easier to understand. They discussed wording regarding conflict of interest, duty to disclose, unfair use of Town property, and education of Board members on the ethics policy and right-to-know. They also discussed creating an onboarding packet for new committee and Board members to ensure they are informed about specific policies.

Chair Wallace will apply the suggested formatting edits to the policy and share this with the other Board members for comment. The revised policy will be reviewed at the next Board meeting.

## **6. TOWN MANAGER REPORT**

### **Revenue and Expenditure Reports**

Town Manager Martinez reported the Town is at about 65% spend. There are large expenditures that have not yet been recorded, so she expects this number to increase. She proposed presenting a financial snapshot to the Board on October 30, 2023, so that the Board can make informed decisions on the preliminary budget at the November 7, 2023, meeting. She noted this is a difficult year for capital reserves, given the increases in expenses. She recommended a full financial analysis on the capital reserves plan be undertaken next year. She mentioned the Town might want to consider reinstituting a Capital Improvement Plan.

### **Budget and Town Meeting Materials**

The Board discussed the merits of printing and mailing the warrant article booklet, as many were thrown away last year and postage costs have increased. They discussed printing enough booklets to make them available at specific locations in Town, but not mailing them to each resident. They clarified that the booklets could still be mailed on request and will be available online. They also discussed whether the sample ballots should continue to be printed and mailed.

The Board decided to send out a survey to obtain input from the residents before deciding.

### **Legal Documents**

Ms. Martinez said she believed the Board directed her to include legal documents in the packets. She said if she was incorrect, she apologized to the Hockstras and it will not be done in the future. If she was correct in this belief, she will make sure in the future that documents are being included consistently. She said the omission of the legal fees document in the minutes was unintentional and offered to amend the minutes.

The Board discussed what information should be shared and included in the packets regarding ongoing legal issues. They noted it is important for the residents to understand how the legal budget is being spent. The Board decided to list on the Agenda, under the Town Manager Report, bulleted updates on cases opened, decisions handed down, and cases closed. All legal documents will be available online.

Ms. Martinez said the tone of the Public Comment was very welcome this evening and thanked the members of the public present for this.

### **Assessing Update**

Emily Wrenn thanked all parties involved for their feedback on the revaluation process. The recording and slides are available on the Town website. She noted all values are preliminary and will not be finalized until the phone hearings are completed. She said that Chapter 7 in the Assessing Standards Board's Understanding Property Tax manual covers revaluation. It is available on the Assessing page on the Town website and has useful information about the process.

### **Sunapee Recreation Survey Closing Soon**

Ms. Wrenn reported the recreation survey is closing on Monday, October 23, 2023, and urged all residents to complete it. Ms. Martinez added that the results of the recreation survey will be cross-referenced with the Master Plan survey, which should produce better data.

The Recreation Department is looking for sponsorships for the 17th annual Turkey Trot.

### **Master Plan**

Ms. Martinez announced there will be one more Master Plan conversation on October 28, 2023, at the Sunapee Middle High School from 10:00 a.m. until 12:00 p.m. and urged residents to attend.

Chair Wallace commended Ms. Martinez, Ms. Wrenn, and Ms. Kris McAllister on the work they did at the community conversation. The feedback was positive and constructive.

### **Staffing Update**

Ms. Martinez noted the Town is looking for a full-time office manager. There is a new finance manager. There has been staff movement in the Highway Department. There is an executive assistant position open. She noted that Linda Jackman's help has been invaluable.

## **7. SELECTBOARD MEMBERS' REPORT**

Mr. Trow reported the Upper Valley Planning Commission met last week and a motion was made and approved for a 5% adjustment of the dues for next year. The contractor rates will be going up slightly as well.

Mr. Hathorn said the information being sent out by Assessing has been extremely helpful.

Chair Wallace asked if a legal statement is needed regarding the need for people to identify themselves to participate in Town public meetings. Ms. Martinez said if the community commits to being respectful and collaborative, she will adhere to the new policies and procedures. If people do not want to identify themselves, they will not be required to do so. She said not only residents can speak at a public meeting. Anyone is welcome to speak if they are recognized by the chair, during the public comment section of the meeting, and adhere to the rules.

Chair Wallace noted the Board needs to conclude how to answer questions submitted via email or during public comment. The Board discussed possible solutions, noting that individual Board members cannot speak for the rest of the Board. Ms. Martinez recommended contacting NHMA and asking how this issue is handled in other Towns and what they recommend as the best practice.

## **8. UPCOMING MEETINGS**

- Water & Sewer Commissioners Meeting: October 19, 2023, 5:30 p.m.
- Planning Board Workshop: October 19, 2023, 7:00 p.m.
- Abbott Library Trustees Meeting: October 19, 2023, 7:00 p.m.

## **9. ADJOURNMENT**

**MOTION to adjourn was made by Member Trow, seconded by Member Hathorn. All voted in favor.**

The meeting was adjourned at 9:40 p.m.  
Respectfully submitted,

Beth Haggeli  
Recording Secretary

**SUNAPEE SELECTBOARD  
MEETING MINUTES  
TOWN OFFICE MEETING ROOM  
Monday, October 30, 2023, 6:30 P.M.**

**Present:** Chair Carol Wallace; Vice Chair Suzanne Gottling; Members Josh Trow, Jeremy Hathorn, and Frederick Gallup

**Also present:** Town Manager Shannon Martinez; Emily Wrenn; Land Use and Assessing Coordinator Allyson Traeger; Town Clerk/Tax Collector Joshua Boone; Town of Sunapee Finance Director Ronna Johnson-Davis

**Meeting called to order at 6:30 p.m. by Chair Wallace, who led the Pledge of Allegiance.**

**1. REVIEW OF MINUTES**

The Board reviewed the draft minutes for the October 16, 2023, Select Board meeting. It was noted that there is not an opening on the Select Board.

**MOTION to approve the minutes as amended for the October 16, 2023, Select Board meeting was made by Member Trow and seconded by Member Hathorn. All voted in favor except Member Gallup, who abstained.**

**2. REVIEW OF ITEMS FOR SIGNATURE**

**CZCs**

- Parcel ID: 0144-0004-0000, 62 Rolling Rock Road, John & Mary Higgins
- Parcel ID: 0124-0004-0000, 53 Ryder Corner Road, Daniel & Lindsey Antoniou
- Parcel ID: 0133-0101-0000, 14 Maple Court, Joseph & Jill Butler
- Parcel ID: 0148-0023-0000, 12 Hamel Road, Gregory & Marilyn Swick
- Parcel ID: 0233-0026-0000, 17 Bradford Road (old address) / 8 Timmothy Road (new address), MacLeay Prentiss Properties, LLC
- Parcel ID: 0105-0003-0000, 61 Seven Springs Road, Kelley Brooks
- Parcel ID: 0104-0028-0000, 71 Prospect Hill Road, Asha Clark
- Parcel ID: 0203-0007-0010, Granite Ridge Road, John & Kim Galluzzo

**LAND DISTURBANCE**

- Parcel ID: 0149-0027-0000, NH Route 103, Kathleen Bouwkamp

**AFTER THE FACT**

- Parcel ID: 0124-0004-0000, 53 Ryder Corner Road, Daniel & Lindsey Antoniou (in accordance with CZC 23-4264)

## **DRIVEWAY PERMIT**

- Parcel ID: 0238-0041-0000, Penacook Path / Nutting Road, Jessica Jones

Ms. Traeger asked for the Board's opinion regarding the OpenGov version of the driveway permit application sent to them. The agreed the electronic version was a cleaner copy.

## **DEMO PERMIT**

- Parcel ID: 0121-0004-0000, 94 Woodland Rd, Mountain View Revocable Trust

## **USE OF FACILITIES**

- **Date Change:** Abbott Library Falconry Exhibition: November 11th, 11am - 1:15pm

**Consent Agenda: MOTION to approve CZCs, Land Disturbance, After the Fact, Driveway Permit, Demo Permit, and Use of Facilities made by Member Gallup, seconded by Member Hathorn. All voted in favor.**

## **3. APPOINTMENTS**

### **6:45 p.m. – Town Clerk/Tax Collector Joshua Boone**

Josh Boone appeared before the Board to present a request to purchase a new ballot-counting machine. The current machine was purchased in 1999; servicing and programming the memory card can only be guaranteed through the 2024 election. The funds to purchase this machine are in the budget. It can be used for the first time for the March 2024 election. Town Manager Martinez noted the RSA requires the Board to approve this purchase.

**MOTION to authorize the use and the purchase of an electronic ballot-counting device for counting ballots in the Town of Sunapee in accordance with RSA 656:40 was made by Member Gallup and seconded by Member Hathorn. All voted in favor.**

### **7:00 p.m. – Ronna Johnson-Davis, Town of Sunapee Finance Director**

Ronna Johnson-Davis appeared before the Board to present a snapshot of the Town's financial state of affairs. She introduced herself and described her background, as she is a new Town employee. She reported on the amount of the budget spent as of October 30, 2023. She noted the legal line is over budget, due to the need for legal advice on short-term rentals, ZBA guidance, and pending court cases. She presented a revenue analysis and answered the Board's questions on specific items. The Board welcomed her and expressed their appreciation for the information.

### **7:15 p.m. – Budget Advisory Committee**

Ms. Martinez noted this is the time of year the COLA is discussed with the Board and explained this year's challenges. She recommended a 5% COLA and explained the difficulties with attracting and retaining qualified staff. Advisory Budget Committee Chair Patrick Fine noted that an explanation as to why this level of COLA is being proposed when

inflation rates are falling should be offered so that the voters can understand the existing issues. The Board asked if the pay tables of other New Hampshire towns have been examined and Ms. Martinez said this has been done. Chief of Police Cobb reviewed the costs of attracting and retaining certified police officers. Fire Chief Galloway reviewed the challenges the Fire Department is facing and asked the Board to prioritize how funds are spent. Problems with library staffing were also presented.

Chair Wallace noted it is important to articulate balancing the cost of turnover versus the pay increase, the correlation between the cost-of-living decrease and the job market increase, and comparisons to neighboring towns, as part of educating the voters on this issue.

The Board discussed warrant articles that might be needed, including dock repair, transfer station/recycling, the public safety fund, and Cooper Street.

Mr. Fine commented that the fiscally responsible way to create a budget is to start with the available revenue and determine the fixed costs, then decide on priorities for spending any discretionary funds. Ms. Martinez clarified they look at consistent revenues and try to understand how to create a budget with those. However, as revenues are not enough to meet all expenses, it is necessary to determine the appropriate tax rate to meet the demands.

The Board discussed the issues involved with creating a budget. They said it is difficult to maintain a flat budget, with increased costs for services that need to be provided. They noted tough decisions will need to be made to keep the tax rate reasonable. The cost of dealing with aging infrastructure and equipment issues was also noted and the need to prioritize the issues that need to be addressed.

Ms. Martinez commended the department heads on their fiscal responsibility, and stressed her desire to change the Town culture so that things are done the right way instead of operating on a shoestring. The Board discussed department heads determining the services they want/need to provide and what the cost would be, and the Board then could decide what is feasible and how to pay for it.

The Board asked Ms. Martinez to determine the available revenue, considering a tax rate that remains the same as last year, and present the proposed budget to the Board.

The Board took a break at 8:39 p.m.

The Board meeting resumed at 8:43 p.m.

**4. PUBLIC COMMENT:** (Public comments can be heard in full [here](#), beginning at 8:50 p.m.)

- **Christine** (via Zoom) thanked everyone for sharing during the budget discussion. She asked where the new approved rules and procedures can be found. Ms. Martinez said they were in the minutes, but will be updated online. She asked if the new ballot-counting machine will be connected to the Internet or have Bluetooth. Member Trow said by law, it cannot be. It can only be connected to the SD card plugged into it. She asked if the SD card is transferred to anybody after the vote. The Board did not know

the answer to this, so she will speak with the Town Clerk. She asked what company has ownership of the software. The Board responded LHS Associates.

- **John, 6 Nutting Road**, (via Zoom) said he was disappointed in the budget discussion, as the funds budgeted for this year have not been spent. He suggested explaining to the public why the budget is consistently underspent. He suggested justifying why full-time staff positions have been added. He said every employee receiving a COLA and a step increase regardless of performance does not make sense. He suggested creating a pool of monies and prioritizing who should receive increases to reward performance.
- **Chris Whitehouse** thanked the Board for responding to his Right-to-Know request. He believes electronic communications for Right-to-Know requests is easier and more efficient, and shows more transparency than submitting a PDF. He found the valuations of the STRs online and said there are only 20 houses under \$400,000. He said the mindset that the STR issue is about providing working-class housing is incorrect and addressing the STR issue is a waste of money. He said he liked that some Board members were more conservative than department heads regarding the budget. He suggested Town Manager Martinez keep her husband from responding to car accidents and fires, if he is not covered by the Town's insurance policy.
- **Lisa Hoekstra** spoke on behalf of the Lake Sunapee STR Association regarding the proposed limit of 120 days on STRs. She said if the Select Board is asked to consider this issue, she asked for evidence of need, as this will not create more affordable housing and it will result in reduced economic income. She said there are few data points available, so the Town needs more facts before implementing more restrictions. She said the 120-day limit was proposed by two Planning and Zoning Board members who have proven conflicts of interest for this topic and collusion and she asked the Board to take a stand on this unethical behavior. She said STR owners have not been a welcome voice during this year-long process and asked that they have a year to gather data. She asked the Board to consider supporting the formation of a tourism committee.

## **5. SELECTBOARD ACTION**

### **Lake Sunapee Scenic Byway Appointment: Allyson Traeger**

**MOTION to appoint Allyson Traeger to the Lake Sunapee Scenic Byway Committee was made by Chair Wallace and seconded by Member Trow. All voted in favor.**

### **Old Business – Review Ethics Policy**

The Board discussed whether the ethics policy needed to be signed every year. The Board noted that while there is an expectation the policy be followed, it is not legally enforceable. The Town Manager should determine if there are repercussions for employees who do not abide by the policy. The Board agreed it should be signed as part of the onboarding procedure and when changes are made, but it is not necessary to be signed annually. Elected officials would be asked to sign it after being sworn in.

**MOTION to approve the ethics policy as written was made by Member Gottling and seconded by Member Hathorn. All voted in favor.**

## 6. TOWN MANAGER REPORT

Ms. Martinez asked if the Board would like to receive a copy of her report before the meeting, to give them the opportunity to review it and to ask questions. The Board agreed on this policy change.

### **Legal Update**

- **Begor Case:** This case was decided in the Town's favor. The Final Case Decision will be shared and included in the Agenda/Minute Packages and will be placed on the Town website.
- **KTP Cottages:** The pre-hearing has been scheduled for November 8, 2023, and the actual hearing on November 21, 2023. The notification will be shared in the Agenda/Minute Packages and will be shared on the Town website.

### **Budget Guidance**

- **Warrant Articles:** These were discussed earlier in the meeting.
- **ARPA Funds/Georges Mills Bridge:** Ms. Martinez would like to ask the Board to approve a motion to repair the Georges Mills bridge with ARPA funds, but her presentation is not ready. Chair Wallace asked if a traffic study has been done to decide whether to repair or to close the bridge. The Board agreed they believed it was closed to provide time to do research to determine the extent of the issues and then decide what needs to be done. Ms. Martinez thanked Ms. Traeger for her work on the Master Plan session and all participants. Chair Wallace added her thanks for the work done on the session. Ms. Martinez noted that at the meeting, there was a lot of concern expressed about the safety of this intersection and what options are available to address this.

### **Assessing Hearings Update**

Ms. Martinez provided an update from the Town assessors. They communicated with over 200 taxpayers, so every segment of the market was covered. They hope the MS-1 will be complete by Friday, November 2, 2023. She expressed her gratitude for the time and effort expended by Ms. McAllister and Mr. Devarenne as they worked on this issue. Chair Wallace echoed her appreciation to the team for their work and to Emily Wrenn for her presentation.

### **GovOS Letters Sent Out**

Ms. Martinez explained that the numbers regarding STRs change regularly, so they will not be citing numbers of STRs with any confidence until there is more data in the system. She asked if the registration deadline could be changed, as the letters were sent out later than originally planned. The Board agreed that since the letters are just being received, they will revisit this question in a month.

### **FEMA Recovery Meeting**

Ms. Martinez will attend the FEMA Recovery Meeting on November 1, 2023, to see if any monies can be recouped.

## **Police Department Use of Public Docks**

**MOTION to authorize the Police Department to use the Public Docks in the interim was made by Member Trow and seconded by Member Hathorn. All voted in favor.**

## **Sunapee Turkey Trot and Basketball Registrations are open**

### **Sample Ballot and Deliberative Booklet Mailing Survey**

Ms. Wrenn said the survey consists of eight questions and hopefully will obtain guidance as to what the residents want. It will be mailed out this week.

## **7. SELECTBOARD MEMBERS' REPORT**

The Board expressed surprise at the county assessment amount.

Member Gallup said he was approached by a resident with a proposal from a division of Santa Buckley Energy. It is currently being considered by the Water and Sewer Commissioners for the treatment plant. The land where the array would be located might need to be leased to the Water and Sewer Commission. He noted there are other proposals being considered. It will be placed in the Reading file for the Board to review.

Regarding the Board being able to interface with the public, in addition to public comment during Board meetings, Chair Wallace said a suggestion was made to add it to the end of the Community Conversation. The Board member in attendance could bring any comments to the full Board.

## **8. UPCOMING MEETINGS**

- **School Board Meeting: November 1, 2023 - 6:00 p.m. to 7:00 p.m.**
- **Conservation Commission: November 1, 2023 - 7:00 p.m.**
- **Zoning Board Meeting: November 2, 2023 - 6:30 p.m.**
- **All-Day Budget Conversation: November 7, 2023**

## **9. ADJOURNMENT**

The meeting was adjourned at 9:46 p.m.

Respectfully submitted,

Beth Hanggeli  
Recording Secretary



**TOWN OF SUNAPEE**  
Post Office Box 717  
23 Edgemont Road  
Sunapee, New Hampshire 03782-0717  
Phone: (603) 763-2212 Fax: (603) 763-4925

## **MEMORANDUM**

To: Sunapee Select Board

From: Kristen McAllister-Assessor

Re: Charitable, Religious and Educational Exemption Recommendations

Date: November 13, 2023

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I have reviewed all Charitable, Educational and Religious Exemption applications for tax year 2023, as required by the New Hampshire Assessing Standards Board, The Board of Tax and Land Appeals and The New Hampshire Department of Revenue Administration.

This recommendation must come before you before the final tax rate is set. As such, the requirements to qualify are defined under each type of exemption, and are brought forth to you as each entity has complied with the filing requirements.

### **Religious Organizations**

Houses of public worship, parish houses, church parsonages occupied by their pastors, convents, monasteries, buildings and the lands appertaining to them owned, used and occupied directly for religious training or for other religious purposes by any regularly recognized and constituted denomination, creed or sect, organized, incorporated or legally doing business in this state and the personal property used by them for the purposes for which they are established, shall be exempt from taxation. The following entities qualify:

Lake Sunapee Baptist Church Map 233-073-000- Parsonage 100% Exemption  
Our Lady of Unity, Inc. Map 233-052-000- Religious Purposes -83% Exemption ( Mixed Use )  
St. James Church Rectory Map 136-072-000- Religious – 100% Exemption  
St. James Episcopal Church Map 136-009-000- Religious-100% Exemption3  
St. Joachims Catholic Church Map 129-044-000- Religious-100% Exemption  
Sunapee Methodist Church Map 129-001-000- Religious -100% Exemption

### **Educational Exemptions**

The buildings and structures of schools, seminaries of learning, colleges, academies and universities organized, incorporated or legally doing business in this state and owned, used and occupied by them directly for the purposes for which they are established. Including but not limited to the dormitories, dining rooms, kitchens, auditoriums, classrooms, infirmaries, administrative and utility rooms and buildings connected therewith, athletic fields and facilities

and gymnasiums, boat houses and wharves belonging to them and used in connection therewith, and the land thereto appertaining. This is provided none of the income or profits are divided among the members or stockholders or used or appropriated for any other purpose than the purpose for which they are organized or established. The following entity qualifies:

Broom Family Foundation Map 123-002-000 Education – 100% Exemption

### **Charitable Organizations**

The buildings, lands and personal property of charitable organizations and societies organized, incorporated, or legally doing business in this state, owned, used and occupied by them directly for the purposes for which they are established, provided that none of the income or profits thereof is used for any other purpose than the purpose for which they are established may be eligible for exemption. For the purposes of this section, the term “charitable” shall have the meaning set forth in RSA 72:23-1. Simply being a 501-3c corporation does not qualify one for the exemption. In addition to the requirements above I review the IRS Charitable Exemption approvals and the New Hampshire Charitable Trust Unit approvals; the below entities are in good standing with the IRS and Trust Unit and qualify for the Charitable Exemption.

Lake Sunapee Protective Association Map 133-025-000, 133-034-036, 133-034-039- 100%  
Sunapee Heritage Alliance Map 133-088-000- 97 % Exemption ( leases 3% of space)  
Sunapee Historical Society Map 129-077-000 & 133-086-000 -100%  
YMCA Camp Coniston Map 201-001-000 & 202-001-000- 100%

Note \* The definition of charitable requires an applicant be required to provide some charitable service and be obligated by its charter to provide this service to a substantial and indefinite segment of the public that includes residents of NH with no financial profit or benefit to its officers or members, or those of any related organization. The fact an organization’s activities are not conducted for profit shall not in itself be sufficient to render the organization charitable under RSA 72:23

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**Carol Wallace – Chair 11/13/2023**

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**Sue Gottling- Vice Chair 11/13/2023**

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**Joshua Trow 11/13/2023**

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**Fred Gallup 11/13/2023**

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**Jeremy Hathorn 11/13/2023**



## **TOWN OF SUNAPEE**

Post Office Box 717  
23 Edgemont Road  
Sunapee, New Hampshire 03782-0717  
Phone: (603) 763-2212 Fax: (603) 763-4925

### **MEMORANDUM**

To: Town Manager & Sunapee Select Board

From: Kristen McAllister-Assessor

Re: Land Use Change Tax

Date: November 13, 2023

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#### **Grant, George C. & Deborah A. Messer Road Map 0239-0019-0000**

The purpose of Current Use is to preserve open space, land left in its natural state. When enrolled in Current Use the land is for forest management, agricultural use and passive recreation. You cannot use the land as a storage yard, in conjunction with a business use or any other intense purpose other than what's outlined in the Current Use Book.

I have alerted the Planner that the use of this land should go to site plan, however he was told by the taxpayer that he has permission in Goshen, the land abutting this parcel, to use as boat storage and only uses the Sunapee lot to access. I have measured the distance from the road to where the boats sit and found that some of the stored boats are in fact on Sunapee land, regardless, if they weren't, the Sunapee lot is used to access. However, recently, the State did a statewide flyover, and as I suspected, the Sunapee lot is in fact being used for storage. See attached aerial view

This parcel consists of 2.4 acres, fairly level and cleared. It borders Goshen where the taxpayer owns additional land, contiguous. I will not be assessing a business factor to this assessment as there are no approvals in place, at this time I will only value the raw vacant land.

That said, it is not fair, nor equitable that other similar businesses are assessed as a business use, and not Current Use values, therefore it is my recommendation to remove from Current Use and assess a Land Use Change Tax and send back to the Planning Board.

The parcels I reviewed to arrive at fair market value are as follows

1. Brook Road, Goshen	1.10 acre	sold 8/30/2022	\$57,500
2. Bradford Road, Sunapee	1.9 acre	sold 7/15/2022	\$65,000
3. Pine Ridge Road, Sunapee	1.01 acre	sold 8/2/2023	\$76,000

The closest in size is sale 2, however that sale occurred over a year ago, given that I estimate a fair market value for this parcel to be \$75,000. I recommend a Land Use Change Tax be issued in the amount of \$7500.



# GRANT 239-019-000

Tri Town, NH

1 inch = 91 Feet

November 3, 2023



[www.cai-tech.com](http://www.cai-tech.com)



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

<b>FORM</b>
<b>A-5</b>

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
MUNICIPALITY LAND USE CHANGE TAX BILL**

**STEP 1- LAND USE CHANGE TAX TO BE BILLED TO:**

☐ **PROPERTY OWNER(S) OR** ☐ **RIGHT OF WAY RESPONSIBLE PARTY LISTED BELOW:**

PLEASE TYPE OR PRINT	LAST NAME/CORPORATION/TRUST NAME <b>GRANT</b>	FIRST NAME/CORPORATION/TRUST NAME <b>GEORGE</b>	INITIAL <b>C</b>
	LAST NAME/CORPORATION/TRUST NAME <b>GRANT</b>	FIRST NAME/CORPORATION/TRUST NAME <b>DEBORAH</b>	INITIAL <b>A</b>
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	MAILING ADDRESS <b>3 MESSER ROAD</b>		
	MUNICIPALITY <b>SUNAPEE</b>	STATE <b>NH</b>	ZIP CODE <b>03782</b>

**STEP 2 - PARCEL IDENTIFICATION OF DISQUALIFIED CURRENT USE LAND**

PLEASE TYPE OR PRINT	(a) RIGHT OF WAY LAND USE CHANGE TAX - PROVIDE NAME OF LANDOWNER ON WHICH THE RIGHT OF WAY IS LOCATED				
	(b) ACCESSIBLE STREET LOCATION <b>MESSER ROAD</b>		MUNICIPALITY <b>SUNAPEE</b>	COUNTY <b>SULLIVAN</b>	
	(c) TOTAL ACRES OF PARCEL <b>2.4</b>	PARCEL TAX MAP AND LOT # <b>239</b>		DEED BOOK AND PAGE # <b>019-000 1800 0001</b>	
	(d) CHECK ONE BELOW: <input type="checkbox"/> PARTIAL RELEASE <input checked="" type="checkbox"/> FULL RELEASE <input type="checkbox"/> RIGHT OF WAY LAND USE CHANGE TAX				

NOTE: A separate land use change tax (LUCT) must be submitted for each separate parcel of land.

**STEP 3 - DOCUMENTATION AND FEE FOR PROPERTY TO BE ENROLLED IN CURRENT USE (CU)**

(a) Owners Name When Land Was First Recorded in Current Use: <b>STANLEY &amp; ESTHER WILLIAMSON</b>	DEED BOOK AND PAGE # <b>602 417</b>	
(b) Total Number of Acres Originally Enrolled in Current Use	<b>2.4</b>	
(c) Total Number of Acres Previously Released Since The Original Recording	<b>0</b>	
(d) Number of Acres Subject to the LUCT Per This Assessment	<b>2.4</b>	
(e) Number of Acres Remaining in Current Use [3(b) minus 3(c) and 3(d)]	<b>0</b>	

<b>FORM</b>
<b>A-5</b>

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
MUNICIPALITY LAND USE CHANGE TAX BILL**

(continued)

**STEP 4 - ASSESSMENT OF LAND USE CHANGE TAX**

(a) Narrative Description of the Disqualification: <b>ABUTTING LOT IN GOSHEN NH REMAINS IN CU, PARCEL DISQUALIFIED AS USED IN SUPPORT OF COMM</b>	
(b) Actual Date of Change in Use (MM/DD/YYYY)	<b>01/01/2023</b>
(c) Full and True Market Value at Time of Change in Use	\$ <b>75000</b>
(d) Land Use Change Tax [Step 4(c) multiplied by 10%]	\$ <b>7500</b>

**STEP 5 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS**

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE

**STEP 6 - BILL LAND USE CHANGE TAX TO:**

**(COMPLETED BY MUNICIPAL ASSESSING OFFICIALS)**

LAST NAME/CORPORATION/TRUST NAME <b>GRANT</b>		FIRST NAME/CORPORATION/TRUST NAME <b>GEORGE C. &amp; DEBORAH A.</b>	INITIAL
MAILING ADDRESS <b>3 MESSER ROAD</b>			
MUNICIPALITY <b>SUNAPEE</b>	STATE <b>NH</b>	ZIP CODE <b>03782</b>	
(b) Actual Date of Change in Use (MM/DD/YYYY)		<b>1/1/2023</b>	
(c) Date of Land Use Change Tax Bill (MM/DD/YYYY)		<b>11/14/2023</b>	
(d) Full and True Market Value at Time of Change in Use		\$ <b>75000</b>	
(e) Land Use Change Tax Due		\$ <b>7500</b>	

<b>FORM</b>
<b>A-5</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
 (continued)

**STEP 7 - CHECKS PAYABLE AND MAILED TO: (COMPLETED BY MUNICIPAL TAX COLLECTOR)**

(a) MAKE CHECKS PAYABLE TO: <b>TOWN OF SUNAPEE</b>		
(b) MAIL TO: <b>JOSHUA BOONE</b>		
MAILING ADDRESS: <b>23 EDMONT ROAD</b>		
MUNICIPALITY <b>SUNAPEE</b>	STATE <b>NH</b>	ZIP CODE <b>03782</b>
(c) MUNICIPAL TAX COLLECTOR PHYSICAL OFFICE LOCATION: <b>23 EDMONT ROAD</b>		
(d) MUNICIPAL TAX COLLECTOR OFFICE HOURS: <b>M,T,TH,F 8-4 :30 W 8-1PM</b>		
(e) LAND USE CHANGE EXEMPT FROM RECORDING RSA 79-A:7, I (c): <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(f) RECORDING FEE: INCLUDE A SEPARATE CHECK IN THE AMOUNT OF \$ _____		
PAYABLE TO:		
(g) PAYMENT OF THE LAND USE CHANGE TAX IS DUE NO LATER THAN 30 DAYS AFTER MAILING OF THIS BILL. INTEREST, AT THE RATE OF 18% PER ANNUM, SHALL BE DUE IF THE TAX IS NOT PAID ON OR BEFORE: _____		

**STEP 8 - ACKNOWLEDGEMENT OF PAYMENT (COMPLETED BY MUNICIPAL TAX C OLLECTOR)**

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE OF MUNICIPAL TAX COLLECTOR (in black or dark blue ink)	DATE OF PAYMENT

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
INSTRUCTIONS  
**GENERAL INSTRUCTIONS**

**WHO MUST FILE**

The Municipal Assessing Officials shall complete the Form A-5, Municipality Land Use Change Tax Bill, to assess the Land Use Change Tax on land that has been classified as open space land and assessed at current use values on or after April 1, 1974 that has undergone a change and as such, no longer qualifies for current use assessment.

**WHEN TO FILE**

Municipal Assessing Officials shall assess the Land Use Change Tax within 18 months of the date upon which they receive written notice of the change of use from the landowner or his or her agent, or within 18 months of the date the Municipal Assessing Officials actually discover the Land Use Change Tax is due and payable.

**WHERE TO FILE**

Upon approval and signature of the Form A-5 by the majority of the Municipal Assessing Officials, the original and two copies of the Form A-5 along with the Form A-5W, Land Use Change Tax Warrant, shall be submitted to the Municipal Tax Collector for collection of the Land Use Change Tax. A copy of the Form A-5 and Form A-5W shall be retained by the Municipal Assessing Officials.

**BILLING AND COLLECTION OF THE TAX**

Upon receipt of the Land Use Change Tax Warrant, the Municipal Tax Collector shall mail one copy of the Form A-5 and this instruction page to the property owner of right-of-way responsible party. Payment of the Land Use Change Tax shall be due no later than 30 days after the mailing of the Form A-5 bill. If billed to the property owner, they must pay a recording fee. Interest of 18% will accrue on any unpaid tax after 30 days. Upon receipt of payment by the property owner, the Form A-5 is recorded at the country registry of deeds. Upon receipt of payment by the right-of-way responsible party, the Form A-5 is not recorded at the registry of deeds. Copies of the paid Form A-5 bills shall be given to the Municipal Assessing Officials for their records.

**APPEAL OF LAND USE CHANGE TAX**

Any person aggrieved by the assessment of a Land Use Change Tax may, within 2 months of the notice of tax date and not afterwards, apply in writing to the Municipal Assessing Officials for an abatement of the Land Use Change Tax pursuant to RSA 79-A:10. If the Municipal Assessing Officials neglect or refuse to abate the Land Use Change Tax, any person aggrieved may appeal within 8 months of the notice of tax date and not afterwards, to either the Board of Tax and Land Appeals or Superior Court in accordance with RSA 79-A:10 or RSA 79-A:11.

**ADA**

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the NH Department of Revenue Administration.

**NEED HELP?**

Contact your Municipality or Municipal and Property Division at (603) 230-5950.

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
 INSTRUCTIONS

**LINE-BY-LINE INSTRUCTIONS**

**The Municipal Assessing Officials shall complete Steps 1 through 6. Steps 7 and 8 shall be completed by the Municipal Tax Collector.**

**STEP 1**

Indicate whether the property owner or the right-of-way responsible party will be assessed the tax. Provide the names and address of the party to whom the tax is being assessed.

**STEP 2**

- (a) If assessed to the right-of-way responsible party, list the name of the parcel landowner on which the change occurred.
- (b) Provide the parcel street location, municipality, and country on which the change in use occurred.
- (c) Provide the total acres of the parcel, tax map and lot number, and most recent deed reference for the parcel.
- (d) Indicate whether a portion of the parcel or the entire parcel is being released, or that it is a right-of-way change.

**STEP 3**

- (a) Provide the name of the property owner(s) that originally enrolled the land into current use including the registry of deeds book and page recording the reference.
- (b) Enter the total acres originally enrolled in current use.
- (c) Enter the total acres previously released since the original enrollment into current use.
- (d) Enter the number of acres subject to the Land Use Change Tax for this assessment.
- (e) Enter the number of acres remaining in current use, Step 3(b) minus Step 3(c) minus Step 3 (d).

**STEP 4**

- (a) Provide the description of the land disqualification.
- (b) Provide the actual date of the event that disqualified the land in the following format: MM/DD/YYYY.
- (c) Provide the full and true market value of the land at the time of change in use.
- (d) Calculate the Land Use Change Tax by multiplying the full and true market value of the land by 10% (.10).

**STEP 5**

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

**STEP 6**

- (a) Provide the name and address of the party to whom the tax is to be billed.
- (b) Provide the actual date of the event that disqualified the land in Step 4(b) in the following format: MM/DD/YYYY.
- (c) Enter the date of the Land Use Change Tax Notice.
- (d) Enter the full and true market value at the time of change in use as indicated in Step 4(c).
- (e) Enter the Land Use Change Tax owed as calculated on page 2, Step 4(d).

**STEP 7**

- (a) Enter the name of the municipality to which the checks are to be made payable. This should be the municipality in which the parcel of land is located.
- (b) Enter the name of the Municipal Tax Collector and the applicable mailing address to which payments should be remitted.
- (c) Enter the Municipal Tax Collector's physical office location.
- (d) Enter the Municipal Tax Collector's hours of operation.
- (e) If the Land Use Change Tax is being billed to the right-of-way responsible party, it is exempt from recording and the box should be checked "Yes". If the Land Use Change Tax is being billed to the property owner, it is not exempt and the box should be checked "No".
- (f) Enter the applicable county registry of deeds recording and filing fee for the recording of the lien release. Indicate to whom the recording fee check should be made payable.
- (g) Enter the final date that the taxpayer has to pay the bill to avoid late payment penalties.

**STEP 8**

The Municipal Tax Collector shall sign and date the form when the tax is paid, and if applicable, the Municipal Tax Collector shall remit the original signed Form A-5 with the recording fee to the appropriate County Registry of Deeds. Copies of the paid, and if applicable the recorded, Form A-5 shall be provided to the Municipal Assessing Officials for their record.

<b>FORM</b>
<b>A-5W</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**WARRANT FOR LAND USE CHANGE TAX**

**STEP 1 - TAX COLLECTOR'S WARRANT FOR LAND USE CHANGE TAX IN THE MUNICIPALITY OF:**

NAME OF MUNICIPALITY TOWN OF SUNAPEE		
STREET ADDRESS 23 EDMONT ROAD		
MAILING ADDRESS		
MUNICIPALITY SUNAPEE	STATE NH	ZIP CODE <b>03782</b>

**STEP 2 - COLLECTION OF LAND USE CHANGE TAX**

(a) State of New Hampshire, County of: SULLIVAN	
(b) To: JOSHUA BOONE	Municipal Collector of taxes
(c) for the municipality of: SUNAPEE	in said County.
(d) In the name of said State you are directed to collect the <b>LAND USE CHANGE TAX</b> in the list herewith committed to you, amounting in all of the sum of: Interest at 18% will be assessed after 30 days.	\$ 7500
(e) Given under our hands at SUNAPEE TOWN OFFICE	
(f) This day of NOVEMBER 13, 2023	
(g) LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY GEORGE C. & DEBORAH A. GRANT	
LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY MAILING ADDRESS 3 MESSER ROAD, SUNAPEE NH 03782	
(h) MUNICIPAL TAX MAP 239	LOT NUMBER 019-000

**STEP 3 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS**

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE

<b>FORM</b>
<b>A-5W</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION

**WARRANT FOR LAND USE CHANGE TAX**

**INSTRUCTIONS**

**WHEN TO FILE**

The Municipal Assessing Officials, upon their approval of a Form A-5, Municipality Land Use Change Tax Bill, shall concurrently approve and sign the Form A-5W, Warrant For Land Use Change Tax.

**WHO MUST FILE**

The Municipal Assessing Officials shall complete Form A-5W, Warrant For Land Use Change Tax, as approved by the board, to serve as the warrant with which the Municipal Tax Collector shall collect the Land Use Change Tax from the landowner or the right-of-way responsible party.

**WHERE TO FILE**

The completed and signed original Form A-5W shall accompany the original Form A-5 and two copies to be delivered to the Municipal Tax Collector. The Municipal Assessing Officials shall retain a copy of both the Form A-5 and the Form A-5W for their records.

**TAX COLLECTOR PROCEDURES**

Upon receipt of the Form A-5W, Warrant For Land Use Change Tax, and Form A-5, Municipality Land Use Change Tax Bill, the Municipal Tax Collector shall mail a duplicate copy of the Form A-5 to the owner responsible for the tax as the notice thereof. Such bill shall be mailed, at the latest, within 18 months of the date upon which the Municipal Assessing Officials receive written notice of the change of use from the landowner or his agent, or within 18 months of the date the Municipal Assessing Officials actually discover that the Land Use Change Tax is due and payable. Upon receipt of payment from the property owner, the Municipal Tax Collector shall forward the original Form A-5 to the county registry of deeds for the purpose of releasing the recorded contingent lien as indicated by the A-5 on all, or only a portion of the property. The recording fee shall be payable by the property owner. Upon receipt of payment from the right-of-way responsible party, the Form A-5 does not get recorded at the registry of deeds. In either case, a copy of the paid Form A-5 bill shall be given to the Municipal Assessing Officials for their records.

**WHEN TAX IS DUE**

Payment of Land Use Change Tax and the recording fee shall be due not later than 30 days after mailing of the tax bill. Interest at the rate of 18 percent per annum shall be due on any taxes not paid within the 30-day period.

**COLLECTION OF UNPAID TAX**

Land Use Change Tax assessments create a lien against the property owner or the right-of-way responsible party. The tax lien shall continue for a period of 24 months. Unpaid tax is subject to collection proceedings pursuant to RSA 80.

**ADA**

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the New Hampshire Department of Revenue Administration.

**NEED HELP?**

Contact the Municipal and Property Division at (603) 230-5950.

**LINE-BY-LINE FORM INSTRUCTIONS**

**STEP 1**

The Municipal Assessing Officials shall provide the name of the municipality and mailing address in which the taxable property is located.

**STEP 2**

- (a) Name of the county in which the property is located.
- (b) Name of the Municipal Tax Collector.
- (c) Name of the municipality in which the property is located.
- (d) The amount of Land Use Change Tax due and payable.
- (e) The name of the municipality.
- (f) The month, day, and year of the warrant.
- (g) The property owner or right-of-way responsible party and address to whom the tax is being assessed.
- (h) The tax map and lot number of the property on which the Land Use Change Tax is being assessed.

**STEP 3**

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.



## **TOWN OF SUNAPEE**

Post Office Box 717  
23 Edgemont Road  
Sunapee, New Hampshire 03782-0717  
Phone: (603) 763-2212 Fax: (603) 763-4925

### **MEMORANDUM**

To: Town Manager & Sunapee Select Board

From: Kristen McAllister-Assessor

Re: Consultant's recommendation, Land Use Change Tax

Date: November 13, 2023

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Due to the potential for perceived bias, I felt the necessity to hire a consultant regarding the redevelopment of 68 Burkehaven Lane, owned by Compass Point, LLC.

Normand Bernaiche, the past Chief Assessor for the Tri-Town was willing to provide a thorough review of the property including site visits in order to determine compliance with the Current Use enrollment of the property. Mr. Bernaiche was Chief Assessor from 2005 to 2019 and is recognized as an expert in valuations on Lake Sunapee. Norm is also a long-standing member of the State of New Hampshire Current Use Board. As such, issues involving redevelopment and Current Use are in his wheelhouse of expertise.

Attached is the recommendation Norm has provided me on the town's behalf. Based on my knowledge and expertise, coupled with his, I concur. My recommendation is a Land Use Change Tax of \$69,500. based on a market value of \$695,000.

September 29, 2023

Kristen McAllister, Chief Assessor  
Town of Sunapee  
Sunapee, NH 03782

Re: Compass Point

Dear Kris,

I have thoroughly reviewed the property at 68 Burkehaven Ln for purposes of Current Use Compliance. I completed 2 thorough visits to the property, one in May and one in September. As part of the review, I reviewed the entire file from the town and other information provided to me from Greg Grigsby from Gradient Landscape Architects.

There were many issues at play here including a CU map drawn by the homeowner, submitted, and accepted by the Town. The map would not have been accepted in that form if you or I had been in charge at that time. This map also included the land in CU as unproductive, which is not correct. It appears to be mostly white pine. Secondly, the property was surveyed, and it was determined the lot had lesser acres than originally thought.

It is my opinion they are staying above the 10 acre threshold and therefore qualify for Current use on the remaining land, albeit just barely. With that said, I recommend the following:

- 1.) We assess a CU penalty based on the removal of the .77 Acres as part of the house site being re-developed. The penalty is based on the contributory value of this land to the overall house site being a waterfront lot. The market value of that area is determined to be \$695,000 or a penalty of \$69,500 which is 10%. It was arrived at by reviewing all the lakefront sales and considering an acre of land valued at \$902,000.
- 2.) Do a penalty for the subject property based on the above and remove that land from CU.
- 3.) Request a new application for CU to be recorded at the registry along with the surveyed CU map provided by the taxpayer.

If you have any questions please reach out.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Norm Bernaiche', with a long horizontal flourish extending to the right.

Norm Bernaiche CNHA  
Certified Assessing Supervisor, NH  
Norm.bernaiche@gmail.com  
603-313-8824-Cell

<b>FORM</b>
<b>A-5</b>

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
MUNICIPALITY LAND USE CHANGE TAX BILL**

**STEP 1 - LAND USE CHANGE TAX TO BE BILLED TO:**

☐ **PROPERTY OWNER(S) OR**    ☐ **RIGHT OF WAY RESPONSIBLE PARTY LISTED BELOW:**

PLEASE TYPE OR PRINT	LAST NAME/CORPORATION/TRUST NAME <b>COMPASS POINT, LLC</b>		FIRST NAME/CORPORATION/TRUST NAME		INITIAL
	LAST NAME/CORPORATION/TRUST NAME		FIRST NAME/CORPORATION/TRUST NAME		INITIAL
	LAST NAME/CORPORATION/TRUST NAME		FIRST NAME/CORPORATION/TRUST NAME		INITIAL
	LAST NAME/CORPORATION/TRUST NAME		FIRST NAME/CORPORATION/TRUST NAME		INITIAL
	MAILING ADDRESS <b>PO BOX 595</b>				
MUNICIPALITY <b>SUNAPEE</b>			STATE <b>NH</b>	ZIP CODE <b>03782</b>	

**STEP 2 - PARCEL IDENTIFICATION OF DISQUALIFIED CURRENT USE LAND**

PLEASE TYPE OR PRINT	(a) RIGHT OF WAY LAND USE CHANGE TAX - PROVIDE NAME OF LANDOWNER ON WHICH THE RIGHT OF WAY IS LOCATED <b>68 BURKEHAVEN LANE</b>				
	(b) ACCESSIBLE STREET LOCATION		MUNICIPALITY <b>SUNAPEE</b>	COUNTY <b>SULLIVAN</b>	
	(c) TOTAL ACRES OF PARCEL <b>14.16</b>	PARCEL TAX MAP AND LOT # <b>140      022-000</b>		DEED BOOK AND PAGE # <b>2111      177</b>	
	(d) CHECK ONE BELOW: <input checked="" type="checkbox"/> <b>PARTIAL RELEASE</b> <input type="checkbox"/> <b>FULL RELEASE</b> <input type="checkbox"/> <b>RIGHT OF WAY LAND USE CHANGE TAX</b>				

NOTE: A separate land use change tax (LUCT) must be submitted for each separate parcel of land.

**STEP 3 - DOCUMENTATION AND FEE FOR PROPERTY TO BE ENROLLED IN CURRENT USE (CU)**

(a) Owners Name When Land Was First Recorded in Current Use: <b>BENTLEY REALTY TRUST</b>		DEED BOOK AND PAGE # <b>947      938</b>	
(b) Total Number of Acres Originally Enrolled in Current Use		<b>10.90</b>	
(c) Total Number of Acres Previously Released Since The Original Recording		<b>0</b>	
(d) Number of Acres Subject to the LUCT Per This Assessment		<b>.77</b>	
(e) Number of Acres Remaining in Current Use [3(b) minus 3(c) and 3(d)]		<b>10.13</b>	

<b>FORM</b>
<b>A-5</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
 (continued)

**STEP 4 - ASSESSMENT OF LAND USE CHANGE TAX**

(a) Narrative Description of the Disqualification: <b>A SURVEY CORRECTING ACREAGE TO 14.16 TOTAL, REMAINING IN CURRENT USE 10.08</b>	
(b) Actual Date of Change in Use (MM/DD/YYYY)	<b>9/29/2023</b>
(c) Full and True Market Value at Time of Change in Use	\$ <b>695,000</b>
(d) Land Use Change Tax [Step 4(c) multiplied by 10%]	\$ <b>69500</b>

**STEP 5 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS**

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE

**STEP 6 - BILL LAND USE CHANGE TAX TO:**

**(COMPLETED BY MUNICIPAL ASSESSING OFFICIALS)**

LAST NAME/CORPORATION/TRUST NAME <b>COMPASS POINT, LLC</b>		FIRST NAME/CORPORATION/TRUST NAME	INITIAL
MAILING ADDRESS <b>PO BOX 595</b>			
MUNICIPALITY <b>SUNAPEE</b>	STATE <b>NH</b>	ZIP CODE <b>03782</b>	
(b) Actual Date of Change in Use (MM/DD/YYYY)		<b>9/29/2023</b>	
(c) Date of Land Use Change Tax Bill (MM/DD/YYYY)		<b>11/14/2023</b>	
(d) Full and True Market Value at Time of Change in Use		\$ <b>695000</b>	
(e) Land Use Change Tax Due		\$ <b>69500</b>	

<b>FORM</b>
<b>A-5</b>

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
MUNICIPALITY LAND USE CHANGE TAX BILL**

(continued)

**STEP 7 - CHECKS PAYABLE AND MAILED TO: (COMPLETED BY MUNICIPAL TAX COLLECTOR)**

(a) MAKE CHECKS PAYABLE TO: <b>TOWN OF SUNAPEE</b>		
(b) MAIL TO: <b>JOSHUA BOONE</b>		
MAILING ADDRESS: <b>23 EDMONT ROAD</b>		
MUNICIPALITY <b>SUNAPEE</b>	STATE <b>NH</b>	ZIP CODE <b>03782</b>
(c) MUNICIPAL TAX COLLECTOR PHYSICAL OFFICE LOCATION: <b>23 EDMONT ROAD , SUNAPEE NH 03782</b>		
(d) MUNICIPAL TAX COLLECTOR OFFICE HOURS: <b>M,T,TH,F 8-4:30 W 8-1PM</b>		
(e) LAND USE CHANGE EXEMPT FROM RECORDING RSA 79-A:7, I (c): <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(f) RECORDING FEE: INCLUDE A SEPARATE CHECK IN THE AMOUNT OF \$ _____		
PAYABLE TO:		
(g) PAYMENT OF THE LAND USE CHANGE TAX IS DUE NO LATER THAN 30 DAYS AFTER MAILING OF THIS BILL. INTEREST, AT THE RATE OF 18% PER ANNUM, SHALL BE DUE IF THE TAX IS NOT PAID ON OR BEFORE: _____		

**STEP 8 - ACKNOWLEDGEMENT OF PAYMENT (COMPLETED BY MUNICIPAL TAX C OLLECTOR)**

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE OF MUNICIPAL TAX COLLECTOR (in black or dark blue ink)	DATE OF PAYMENT

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
INSTRUCTIONS  
**GENERAL INSTRUCTIONS**

**WHO MUST FILE**

The Municipal Assessing Officials shall complete the Form A-5, Municipality Land Use Change Tax Bill, to assess the Land Use Change Tax on land that has been classified as open space land and assessed at current use values on or after April 1, 1974 that has undergone a change and as such, no longer qualifies for current use assessment.

**WHEN TO FILE**

Municipal Assessing Officials shall assess the Land Use Change Tax within 18 months of the date upon which they receive written notice of the change of use from the landowner or his or her agent, or within 18 months of the date the Municipal Assessing Officials actually discover the Land Use Change Tax is due and payable.

**WHERE TO FILE**

Upon approval and signature of the Form A-5 by the majority of the Municipal Assessing Officials, the original and two copies of the Form A-5 along with the Form A-5W, Land Use Change Tax Warrant, shall be submitted to the Municipal Tax Collector for collection of the Land Use Change Tax. A copy of the Form A-5 and Form A-5W shall be retained by the Municipal Assessing Officials.

**BILLING AND COLLECTION OF THE TAX**

Upon receipt of the Land Use Change Tax Warrant, the Municipal Tax Collector shall mail one copy of the Form A-5 and this instruction page to the property owner of right-of-way responsible party. Payment of the Land Use Change Tax shall be due no later than 30 days after the mailing of the Form A-5 bill. If billed to the property owner, they must pay a recording fee. Interest of 18% will accrue on any unpaid tax after 30 days. Upon receipt of payment by the property owner, the Form A-5 is recorded at the country registry of deeds. Upon receipt of payment by the right-of-way responsible party, the Form A-5 is not recorded at the registry of deeds. Copies of the paid Form A-5 bills shall be given to the Municipal Assessing Officials for their records.

**APPEAL OF LAND USE CHANGE TAX**

Any person aggrieved by the assessment of a Land Use Change Tax may, within 2 months of the notice of tax date and not afterwards, apply in writing to the Municipal Assessing Officials for an abatement of the Land Use Change Tax pursuant to RSA 79-A:10. If the Municipal Assessing Officials neglect or refuse to abate the Land Use Change Tax, any person aggrieved may appeal within 8 months of the notice of tax date and not afterwards, to either the Board of Tax and Land Appeals or Superior Court in accordance with RSA 79-A:10 or RSA 79-A:11.

**ADA**

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**NEED HELP?**

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FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
 INSTRUCTIONS

**LINE-BY-LINE INSTRUCTIONS**

**The Municipal Assessing Officials shall complete Steps 1 through 6. Steps 7 and 8 shall be completed by the Municipal Tax Collector.**

**STEP 1**

Indicate whether the property owner or the right-of-way responsible party will be assessed the tax. Provide the names and address of the party to whom the tax is being assessed.

**STEP 2**

- (a) If assessed to the right-of-way responsible party, list the name of the parcel landowner on which the change occurred.
- (b) Provide the parcel street location, municipality, and country on which the change in use occurred.
- (c) Provide the total acres of the parcel, tax map and lot number, and most recent deed reference for the parcel.
- (d) Indicate whether a portion of the parcel or the entire parcel is being released, or that it is a right-of-way change.

**STEP 3**

- (a) Provide the name of the property owner(s) that originally enrolled the land into current use including the registry of deeds book and page recording the reference.
- (b) Enter the total acres originally enrolled in current use.
- (c) Enter the total acres previously released since the original enrollment into current use.
- (d) Enter the number of acres subject to the Land Use Change Tax for this assessment.
- (e) Enter the number of acres remaining in current use, Step 3(b) minus Step 3(c) minus Step 3 (d).

**STEP 4**

- (a) Provide the description of the land disqualification.
- (b) Provide the actual date of the event that disqualified the land in the following format: MM/DD/YYYY.
- (c) Provide the full and true market value of the land at the time of change in use.
- (d) Calculate the Land Use Change Tax by multiplying the full and true market value of the land by 10% (.10).

**STEP 5**

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

**STEP 6**

- (a) Provide the name and address of the party to whom the tax is to be billed.
- (b) Provide the actual date of the event that disqualified the land in Step 4(b) in the following format: MM/DD/YYYY.
- (c) Enter the date of the Land Use Change Tax Notice.
- (d) Enter the full and true market value at the time of change in use as indicated in Step 4(c).
- (e) Enter the Land Use Change Tax owed as calculated on page 2, Step 4(d).

**STEP 7**

- (a) Enter the name of the municipality to which the checks are to be made payable. This should be the municipality in which the parcel of land is located.
- (b) Enter the name of the Municipal Tax Collector and the applicable mailing address to which payments should be remitted.
- (c) Enter the Municipal Tax Collector's physical office location.
- (d) Enter the Municipal Tax Collector's hours of operation.
- (e) If the Land Use Change Tax is being billed to the right-of-way responsible party, it is exempt from recording and the box should be checked "Yes". If the Land Use Change Tax is being billed to the property owner, it is not exempt and the box should be checked "No".
- (f) Enter the applicable county registry of deeds recording and filing fee for the recording of the lien release. Indicate to whom the recording fee check should be made payable.
- (g) Enter the final date that the taxpayer has to pay the bill to avoid late payment penalties.

**STEP 8**

The Municipal Tax Collector shall sign and date the form when the tax is paid, and if applicable, the Municipal Tax Collector shall remit the original signed Form A-5 with the recording fee to the appropriate County Registry of Deeds. Copies of the paid, and if applicable the recorded, Form A-5 shall be provided to the Municipal Assessing Officials for their record.

<b>FORM</b>
<b>A-5W</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**WARRANT FOR LAND USE CHANGE TAX**

**STEP 1 - TAX COLLECTOR'S WARRANT FOR LAND USE CHANGE TAX IN THE MUNICIPALITY OF:**

NAME OF MUNICIPALITY TOWN OF SUNAPEE		
STREET ADDRESS 23 EDMONT ROAD		
MAILING ADDRESS		
MUNICIPALITY SUNAPEE	STATE NH	ZIP CODE <b>03782</b>

**STEP 2 - COLLECTION OF LAND USE CHANGE TAX**

(a) State of New Hampshire, County of: SULLIVAN	
(b) To: JOSHUA BOONE	Municipal Collector of taxes
(c) for the municipality of: SUNAPEE	in said County.
(d) In the name of said State you are directed to collect the <b>LAND USE CHANGE TAX</b> in the list herewith committed to you, amounting in all of the sum of: \$ 69500 Interest at 18% will be assessed after 30 days.	
(e) Given under our hands at SUNAPEE TOWN OFFICE	
(f) This day of NOVEMBER 13, 2023	
(g) LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY COMPASS POINT, LLC	
LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY MAILING ADDRESS PO BOX 595, SUNAPEE NH 03782	
(h) MUNICIPAL TAX MAP 140	LOT NUMBER 022-000

**STEP 3 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS**

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE

<b>FORM</b>
<b>A-5W</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**WARRANT FOR LAND USE CHANGE TAX**

**INSTRUCTIONS**

**WHEN TO FILE**

The Municipal Assessing Officials, upon their approval of a Form A-5, Municipality Land Use Change Tax Bill, shall concurrently approve and sign the Form A-5W, Warrant For Land Use Change Tax.

**WHO MUST FILE**

The Municipal Assessing Officials shall complete Form A-5W, Warrant For Land Use Change Tax, as approved by the board, to serve as the warrant with which the Municipal Tax Collector shall collect the Land Use Change Tax from the landowner or the right-of-way responsible party.

**WHERE TO FILE**

The completed and signed original Form A-5W shall accompany the original Form A-5 and two copies to be delivered to the Municipal Tax Collector. The Municipal Assessing Officials shall retain a copy of both the Form A-5 and the Form A-5W for their records.

**TAX COLLECTOR PROCEDURES**

Upon receipt of the Form A-5W, Warrant For Land Use Change Tax, and Form A-5, Municipality Land Use Change Tax Bill, the Municipal Tax Collector shall mail a duplicate copy of the Form A-5 to the owner responsible for the tax as the notice thereof. Such bill shall be mailed, at the latest, within 18 months of the date upon which the Municipal Assessing Officials receive written notice of the change of use from the landowner or his agent, or within 18 months of the date the Municipal Assessing Officials actually discover that the Land Use Change Tax is due and payable. Upon receipt of payment from the property owner, the Municipal Tax Collector shall forward the original Form A-5 to the county registry of deeds for the purpose of releasing the recorded contingent lien as indicated by the A-5 on all, or only a portion of the property. The recording fee shall be payable by the property owner. Upon receipt of payment from the right-of-way responsible party, the Form A-5 does not get recorded at the registry of deeds. In either case, a copy of the paid Form A-5 bill shall be given to the Municipal Assessing Officials for their records.

**WHEN TAX IS DUE**

Payment of Land Use Change Tax and the recording fee shall be due not later than 30 days after mailing of the tax bill. Interest at the rate of 18 percent per annum shall be due on any taxes not paid within the 30-day period.

**COLLECTION OF UNPAID TAX**

Land Use Change Tax assessments create a lien against the property owner or the right-of-way responsible party. The tax lien shall continue for a period of 24 months. Unpaid tax is subject to collection proceedings pursuant to RSA 80.

**ADA**

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the New Hampshire Department of Revenue Administration.

**NEED HELP?**

Contact the Municipal and Property Division at (603) 230-5950.

**LINE-BY-LINE FORM INSTRUCTIONS**

**STEP 1**

The Municipal Assessing Officials shall provide the name of the municipality and mailing address in which the taxable property is located.

**STEP 2**

- (a) Name of the county in which the property is located.
- (b) Name of the Municipal Tax Collector.
- (c) Name of the municipality in which the property is located.
- (d) The amount of Land Use Change Tax due and payable.
- (e) The name of the municipality.
- (f) The month, day, and year of the warrant.
- (g) The property owner or right-of-way responsible party and address to whom the tax is being assessed.
- (h) The tax map and lot number of the property on which the Land Use Change Tax is being assessed.

**STEP 3**

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.



## **TOWN OF SUNAPEE**

Post Office Box 717  
23 Edgemont Road  
Sunapee, New Hampshire 03782-0717  
Phone: (603) 763-2212 Fax: (603) 763-4925

### **MEMORANDUM**

To: Sunapee Select Board

From: Kristen McAllister-Assessor

Re: Land Use Change Tax Recommendations (LUCT)

Date: November 13, 2023

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#### **Norris Revocable Trust Map 203-007-006 121 Granite Ridge**

This parcel contains 10.07 acres of vacant land, with sweeping views overlooking Lake Sunapee, it is located in the Granite Ridge development off of Prospect Hill Road. The owners purchased this parcel back in April of 2022 for \$200,000, the entire parcel is in Current Use. In September of 2022 a building permit was issued to construct a 3200 square foot single family home and construction is underway. The structure and appurtenances required to support the home disqualify this parcel from the 10 acre minimum to remain in Current Use, a such A Land Use Change Tax must be issued. I estimate the fair market value of this parcel to be \$275,000, with a recommended Land Use Change Tax of \$27,500.

#### **Bruns, Kirk & Collen Map 203-007-007 Granite Ridge**

This parcel is the most recent sale at Granite Ridge Development, the taxpayers purchased from the Benshemer Family Revoc. in October 2023 for \$250,000. This parcel contains 5.01 acres and has spectacular views overlooking Lake Sunapee. This lot was able to maintain Current Use status as it was owned by another with qualifying contiguous acreage. The transfer of this property is the disqualifying event and a Land Use Change Tax must be issued. The estimated fair market value for this parcel is \$250,000, as it was marketed for 144 days. I recommend a Land Use Change Tax be issued for \$25,000.

Attached are the sales I have reviewed for the above Land Use Change Tax Recommendations.

As shown on the spreadsheet of vacant land sales at Granite Ridge, Sale # 2 versus 3, indicates 1% appreciation over 2 months & sales # 2 versus 5 indicates 25% in 16 months. Keeping in mind the indicated appreciation over several months below is the range of value for the Norris parcel. There is no one exact, rather with knowledge and experience the goal is to be within 10% of fair market value at the time of change.

Sale 6- (most recent) 5.01 acres comparable view \$250,000-10/2023

Sale 1- ( subject) 10.07 acres comparable view \$200,000-4/2022

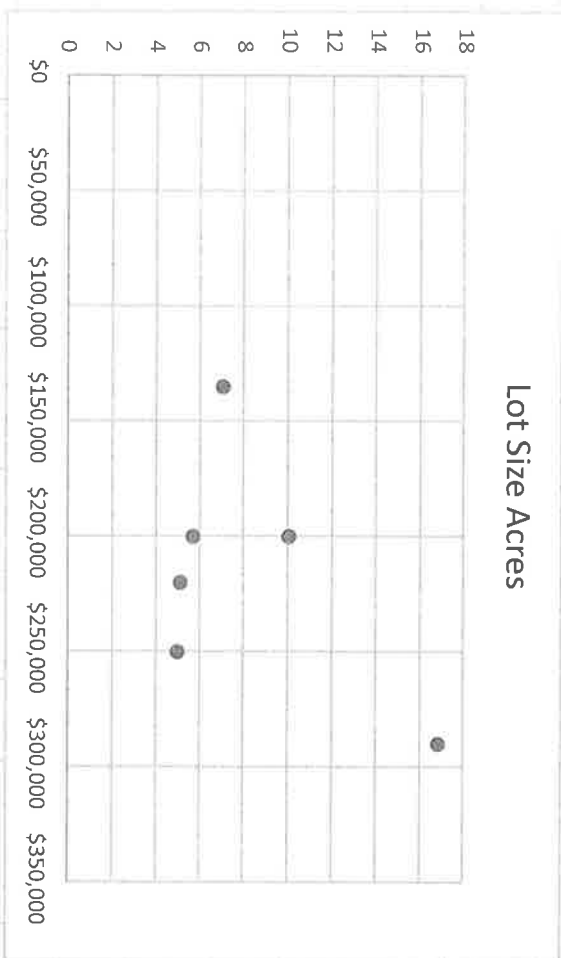
Sale 4-16.85 acres comparable view \$290,000- 10/2022

I believe \$275,000 is a fair representation of current market value for the Norris Lot

As shown in the Plot Chart the range in value for a 5+/- acre lot is \$200,000 to \$250,000, keeping in mind two of the three sales occurred over 16 months ago while the market continued to appreciate. For The Bruns purchase of lot 7, the parcel was exposed and tested on the market for 144 days, they paid \$250,000 which aligns with the rate of appreciation from the earlier sales.

# Vacant Land Sales Granite Ridge

Sale #	Address	City	Status	Price	Date - MLS list	DOM	DtClosed	Lot Size Acres	
1	Lot 6 Granite Ridge Road	Sunapee	CL	\$200,000	4/1/2022	2	4/22/2022	10.07	Norris
2	Lot #4 Granite Ridge Road	Sunapee	CL	\$200,000	4/3/2022	36	6/17/2022	5.71	
3	0 Granite Ridge Road	Sunapee	CL	\$220,000	6/30/2022	20	8/31/2022	5.14	
4	Lot 5 Granite Ridge Road	Sunapee	CL	\$290,000	5/19/2022	102	10/14/2022	16.85	
5	Granite Ridge Road	Sunapee	CL	\$135,000	6/22/2022	148	12/7/2022	7.06	No View
6	Lot 7 Granite Ridge Road	Sunapee	CL	\$250,000	5/2/2023	144	10/13/2023	5.01	Bruns



<b>FORM</b>
<b>A-5</b>

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
MUNICIPALITY LAND USE CHANGE TAX BILL**

**STEP 1 - LAND USE CHANGE TAX TO BE BILLED TO:**

☐ PROPERTY OWNER(S) OR ☐ RIGHT OF WAY RESPONSIBLE PARTY LISTED BELOW:

PLEASE TYPE OR PRINT	LAST NAME/CORPORATION/TRUST NAME <b>BRUN</b>	FIRST NAME/CORPORATION/TRUST NAME <b>KIRK</b>	INITIAL <b>L</b>
	LAST NAME/CORPORATION/TRUST NAME <b>BRUN</b>	FIRST NAME/CORPORATION/TRUST NAME <b>COLLEEN</b>	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	MAILING ADDRESS <b>PO BOX 1451</b>		
	MUNICIPALITY <b>WAITSFIELD</b>	STATE <b>VT</b>	ZIP CODE <b>05673</b>

**STEP 2 - PARCEL IDENTIFICATION OF DISQUALIFIED CURRENT USE LAND**

PLEASE TYPE OR PRINT	(a) RIGHT OF WAY LAND USE CHANGE TAX - PROVIDE NAME OF LANDOWNER ON WHICH THE RIGHT OF WAY IS LOCATED <b>8GRANITE RIDGE DEVELOPMENT LOT 7</b>			
	(b) ACCESSIBLE STREET LOCATION <b>GRANITE RIDGE ROAD</b>		MUNICIPALITY <b>SUNAPEE</b>	COUNTY <b>SULLIVAN</b>
	(c) TOTAL ACRES OF PARCEL <b>5.01</b>	PARCEL TAX MAP AND LOT # <b>203-007-007</b>		DEED BOOK AND PAGE # <b>2241 860</b>
	(d) CHECK ONE BELOW: <input type="checkbox"/> PARTIAL RELEASE <input checked="" type="checkbox"/> FULL RELEASE <input type="checkbox"/> RIGHT OF WAY LAND USE CHANGE TAX			

NOTE: A separate land use change tax (LUCT) must be submitted for each separate parcel of land.

**STEP 3 - DOCUMENTATION AND FEE FOR PROPERTY TO BE ENROLLED IN CURRENT USE (CU)**

(a) Owners Name When Land Was First Recorded in Current Use: <b>Granite Ridge Development, LLC</b>	DEED BOOK AND PAGE # <b>1726 811</b>	
(b) Total Number of Acres Originally Enrolled in Current Use	<b>5.01</b>	
(c) Total Number of Acres Previously Released Since The Original Recording	<b>0</b>	
(d) Number of Acres Subject to the LUCT Per This Assessment	<b>5.01</b>	
(e) Number of Acres Remaining in Current Use [3(b) minus 3(c) and 3(d)]	<b>0</b>	

<b>FORM</b>
<b>A-5</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
 (continued)

**STEP 4 - ASSESSMENT OF LAND USE CHANGE TAX**

(a) Narrative Description of the Disqualification: <b>SUBDIVISION, LOT SOLD NO LONGER CONTIGUOUS TO QUALIFYING ACREAGE</b>	
(b) Actual Date of Change in Use (MM/DD/YYYY)	<b>10/13/2023</b>
(c) Full and True Market Value at Time of Change in Use	\$ <b>250000</b>
(d) Land Use Change Tax [Step 4(c) multiplied by 10%]	\$ <b>25000</b>

**STEP 5 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS**

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE

**STEP 6 - BILL LAND USE CHANGE TAX TO:**

**(COMPLETED BY MUNICIPAL ASSESSING OFFICIALS)**

LAST NAME/CORPORATION/TRUST NAME <b>BRUNS</b>		FIRST NAME/CORPORATION/TRUST NAME <b>KIRK &amp; COLLEEN</b>	INITIAL <b>L</b>
MAILING ADDRESS <b>PO BOX 1451</b>			
MUNICIPALITY <b>WAITSFIELD</b>	STATE <b>VT</b>	ZIP CODE <b>05673</b>	
(b) Actual Date of Change in Use (MM/DD/YYYY)		<b>10/13/2023</b>	
(c) Date of Land Use Change Tax Bill (MM/DD/YYYY)		<b>11/14/2023</b>	
(d) Full and True Market Value at Time of Change in Use		\$ <b>250000</b>	
(e) Land Use Change Tax Due		\$ <b>25000</b>	

<b>FORM</b>
<b>A-5</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
 (continued)

**STEP 7 - CHECKS PAYABLE AND MAILED TO: (COMPLETED BY MUNICIPAL TAX COLLECTOR)**

(a) MAKE CHECKS PAYABLE TO: <b>TOWN OF SUNAPEE</b>		
(b) MAIL TO: <b>TOWN CLERK / TAX COLLECTOR</b>		
MAILING ADDRESS: <b>23 EDMONT ROAD</b>		
MUNICIPALITY <b>SUNAPEE</b>	STATE <b>NH</b>	ZIP CODE <b>03782</b>
(c) MUNICIPAL TAX COLLECTOR PHYSICAL OFFICE LOCATION: <b>23 EDMONT ROAD , SUNAPEE NH</b>		
(d) MUNICIPAL TAX COLLECTOR OFFICE HOURS: <b>M,T,TH,F 8-4:30 WED 8-1PM</b>		
(e) LAND USE CHANGE EXEMPT FROM RECORDING RSA 79-A:7, I (c): <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(f) RECORDING FEE: INCLUDE A SEPARATE CHECK IN THE AMOUNT OF \$ _____		
PAYABLE TO:		
(g) PAYMENT OF THE LAND USE CHANGE TAX IS DUE NO LATER THAN 30 DAYS AFTER MAILING OF THIS BILL. INTEREST, AT THE RATE OF 18% PER ANNUM, SHALL BE DUE IF THE TAX IS NOT PAID ON OR BEFORE: _____		

**STEP 8 - ACKNOWLEDGEMENT OF PAYMENT (COMPLETED BY MUNICIPAL TAX C OLLECTOR)**

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE OF MUNICIPAL TAX COLLECTOR (in black or dark blue ink)	DATE OF PAYMENT

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
INSTRUCTIONS  
**GENERAL INSTRUCTIONS**

**WHO MUST FILE**

The Municipal Assessing Officials shall complete the Form A-5, Municipality Land Use Change Tax Bill, to assess the Land Use Change Tax on land that has been classified as open space land and assessed at current use values on or after April 1, 1974 that has undergone a change and as such, no longer qualifies for current use assessment.

**WHEN TO FILE**

Municipal Assessing Officials shall assess the Land Use Change Tax within 18 months of the date upon which they receive written notice of the change of use from the landowner or his or her agent, or within 18 months of the date the Municipal Assessing Officials actually discover the Land Use Change Tax is due and payable.

**WHERE TO FILE**

Upon approval and signature of the Form A-5 by the majority of the Municipal Assessing Officials, the original and two copies of the Form A-5 along with the Form A-5W, Land Use Change Tax Warrant, shall be submitted to the Municipal Tax Collector for collection of the Land Use Change Tax. A copy of the Form A-5 and Form A-5W shall be retained by the Municipal Assessing Officials.

**BILLING AND COLLECTION OF THE TAX**

Upon receipt of the Land Use Change Tax Warrant, the Municipal Tax Collector shall mail one copy of the Form A-5 and this instruction page to the property owner of right-of-way responsible party. Payment of the Land Use Change Tax shall be due no later than 30 days after the mailing of the Form A-5 bill. If billed to the property owner, they must pay a recording fee. Interest of 18% will accrue on any unpaid tax after 30 days. Upon receipt of payment by the property owner, the Form A-5 is recorded at the country registry of deeds. Upon receipt of payment by the right-of-way responsible party, the Form A-5 is not recorded at the registry of deeds. Copies of the paid Form A-5 bills shall be given to the Municipal Assessing Officials for their records.

**APPEAL OF LAND USE CHANGE TAX**

Any person aggrieved by the assessment of a Land Use Change Tax may, within 2 months of the notice of tax date and not afterwards, apply in writing to the Municipal Assessing Officials for an abatement of the Land Use Change Tax pursuant to RSA 79-A:10. If the Municipal Assessing Officials neglect or refuse to abate the Land Use Change Tax, any person aggrieved may appeal within 8 months of the notice of tax date and not afterwards, to either the Board of Tax and Land Appeals or Superior Court in accordance with RSA 79-A:10 or RSA 79-A:11.

**ADA**

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the NH Department of Revenue Administration.

**NEED HELP?**

Contact your Municipality or Municipal and Property Division at (603) 230-5950.

<b>FORM</b>
<b>A-5</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
 INSTRUCTIONS

**LINE-BY-LINE INSTRUCTIONS**

**The Municipal Assessing Officials shall complete Steps 1 through 6. Steps 7 and 8 shall be completed by the Municipal Tax Collector.**

**STEP 1**

Indicate whether the property owner or the right-of-way responsible party will be assessed the tax. Provide the names and address of the party to whom the tax is being assessed.

**STEP 2**

- (a) If assessed to the right-of-way responsible party, list the name of the parcel landowner on which the change occurred.
- (b) Provide the parcel street location, municipality, and country on which the change in use occurred.
- (c) Provide the total acres of the parcel, tax map and lot number, and most recent deed reference for the parcel.
- (d) Indicate whether a portion of the parcel or the entire parcel is being released, or that it is a right-of-way change.

**STEP 3**

- (a) Provide the name of the property owner(s) that originally enrolled the land into current use including the registry of deeds book and page recording the reference.
- (b) Enter the total acres originally enrolled in current use.
- (c) Enter the total acres previously released since the original enrollment into current use.
- (d) Enter the number of acres subject to the Land Use Change Tax for this assessment.
- (e) Enter the number of acres remaining in current use, Step 3(b) minus Step 3(c) minus Step 3 (d).

**STEP 4**

- (a) Provide the description of the land disqualification.
- (b) Provide the actual date of the event that disqualified the land in the following format: MM/DD/YYYY.
- (c) Provide the full and true market value of the land at the time of change in use.
- (d) Calculate the Land Use Change Tax by multiplying the full and true market value of the land by 10% (.10).

**STEP 5**

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

**STEP 6**

- (a) Provide the name and address of the party to whom the tax is to be billed.
- (b) Provide the actual date of the event that disqualified the land in Step 4(b) in the following format: MM/DD/YYYY.
- (c) Enter the date of the Land Use Change Tax Notice.
- (d) Enter the full and true market value at the time of change in use as indicated in Step 4(c).
- (e) Enter the Land Use Change Tax owed as calculated on page 2, Step 4(d).

**STEP 7**

- (a) Enter the name of the municipality to which the checks are to be made payable. This should be the municipality in which the parcel of land is located.
- (b) Enter the name of the Municipal Tax Collector and the applicable mailing address to which payments should be remitted.
- (c) Enter the Municipal Tax Collector's physical office location.
- (d) Enter the Municipal Tax Collector's hours of operation.
- (e) If the Land Use Change Tax is being billed to the right-of-way responsible party, it is exempt from recording and the box should be checked "Yes". If the Land Use Change Tax is being billed to the property owner, it is not exempt and the box should be checked "No".
- (f) Enter the applicable county registry of deeds recording and filing fee for the recording of the lien release. Indicate to whom the recording fee check should be made payable.
- (g) Enter the final date that the taxpayer has to pay the bill to avoid late payment penalties.

**STEP 8**

The Municipal Tax Collector shall sign and date the form when the tax is paid, and if applicable, the Municipal Tax Collector shall remit the original signed Form A-5 with the recording fee to the appropriate County Registry of Deeds. Copies of the paid, and if applicable the recorded, Form A-5 shall be provided to the Municipal Assessing Officials for their record.

<b>FORM</b>
<b>A-5</b>

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
MUNICIPALITY LAND USE CHANGE TAX BILL**

**STEP 1 - LAND USE CHANGE TAX TO BE BILLED TO:**

☐ PROPERTY OWNER(S) OR ☐ RIGHT OF WAY RESPONSIBLE PARTY LISTED BELOW:

PLEASE TYPE OR PRINT	LAST NAME/CORPORATION/TRUST NAME <b>NORRIS</b>	FIRST NAME/CORPORATION/TRUST NAME <b>REVOCABLE TRUST</b>	INITIAL
	LAST NAME/CORPORATION/TRUST NAME <b>CHRISTOPHER</b>	FIRST NAME/CORPORATION/TRUST NAME <b>NORRIS-TRUSTEE</b>	INITIAL <b>T</b>
	LAST NAME/CORPORATION/TRUST NAME <b>NANCY</b>	FIRST NAME/CORPORATION/TRUST NAME <b>NORRIS-TRUSTEE</b>	INITIAL <b>W</b>
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	MAILING ADDRESS <b>17 CHURCH STREET</b>		
	MUNICIPALITY <b>COHASSET</b>	STATE <b>MA</b>	ZIP CODE <b>02025</b>

**STEP 2 - PARCEL IDENTIFICATION OF DISQUALIFIED CURRENT USE LAND**

PLEASE TYPE OR PRINT	(a) RIGHT OF WAY LAND USE CHANGE TAX - PROVIDE NAME OF LANDOWNER ON WHICH THE RIGHT OF WAY IS LOCATED <b>GRANITE RIDGE DEVELOPMENT LOT 6</b>			
	(b) ACCESSIBLE STREET LOCATION <b>GRANITE RIDGE ROAD</b>		MUNICIPALITY <b>SUNAPEE</b>	COUNTY <b>SULLIVAN</b>
	(c) TOTAL ACRES OF PARCEL <b>10.07</b>	PARCEL TAX MAP AND LOT # <b>203-007-006</b>		DEED BOOK AND PAGE # <b>2215 317</b>
	(d) CHECK ONE BELOW: <input type="checkbox"/> PARTIAL RELEASE <input checked="" type="checkbox"/> FULL RELEASE <input type="checkbox"/> RIGHT OF WAY LAND USE CHANGE TAX			

NOTE: A separate land use change tax (LUCT) must be submitted for each separate parcel of land.

**STEP 3 - DOCUMENTATION AND FEE FOR PROPERTY TO BE ENROLLED IN CURRENT USE (CU)**

(a) Owners Name When Land Was First Recorded in Current Use: <b>Granite Ridge Development, LLC</b>	DEED BOOK AND PAGE # <b>1726 811</b>	
(b) Total Number of Acres Originally Enrolled in Current Use	<b>10.07</b>	
(c) Total Number of Acres Previously Released Since The Original Recording	<b>0</b>	
(d) Number of Acres Subject to the LUCT Per This Assessment	<b>10.07</b>	
(e) Number of Acres Remaining in Current Use [3(b) minus 3(c) and 3(d)]	<b>0</b>	

<b>FORM</b>
<b>A-5</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
 (continued)

**STEP 4 - ASSESSMENT OF LAND USE CHANGE TAX**

(a) Narrative Description of the Disqualification: <b>SUBDIVISION, LOT SOLD NO LONGER CONTIGUOUS TO QUALIFYING ACREAGE</b>	
(b) Actual Date of Change in Use (MM/DD/YYYY)	<b>10/13/2023</b>
(c) Full and True Market Value at Time of Change in Use	\$ <b>275000</b>
(d) Land Use Change Tax [Step 4(c) multiplied by 10%]	\$ <b>27500</b>

**STEP 5 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS**

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE

**STEP 6 - BILL LAND USE CHANGE TAX TO:**

**(COMPLETED BY MUNICIPAL ASSESSING OFFICIALS)**

LAST NAME/CORPORATION/TRUST NAME <b>NORRIS</b>		FIRST NAME/CORPORATION/TRUST NAME <b>REVOC. TRUST</b>	INITIAL
MAILING ADDRESS <b>17 CHURCH STREET</b>			
MUNICIPALITY <b>COHASSET</b>	STATE <b>MA</b>	ZIP CODE <b>02025</b>	
(b) Actual Date of Change in Use (MM/DD/YYYY)		<b>10/13/2023</b>	
(c) Date of Land Use Change Tax Bill (MM/DD/YYYY)		<b>11/14/2023</b>	
(d) Full and True Market Value at Time of Change in Use		\$ <b>275000</b>	
(e) Land Use Change Tax Due		\$ <b>27500</b>	

<b>FORM</b>
<b>A-5</b>

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
MUNICIPALITY LAND USE CHANGE TAX BILL**

(continued)

**STEP 7 - CHECKS PAYABLE AND MAILED TO: (COMPLETED BY MUNICIPAL TAX COLLECTOR)**

(a) MAKE CHECKS PAYABLE TO: <b>TOWN OF SUNAPEE</b>		
(b) MAIL TO: <b>TOWN CLERK / TAX COLLECTOR</b>		
MAILING ADDRESS: <b>23 EDMONT ROAD</b>		
MUNICIPALITY <b>SUNAPEE</b>	STATE <b>NH</b>	ZIP CODE <b>03782</b>
(c) MUNICIPAL TAX COLLECTOR PHYSICAL OFFICE LOCATION: <b>23 EDMONT ROAD , SUNAPEE NH</b>		
(d) MUNICIPAL TAX COLLECTOR OFFICE HOURS: <b>M,T,TH,F 8-4:30 WED 8-1PM</b>		
(e) LAND USE CHANGE EXEMPT FROM RECORDING RSA 79-A:7, I (c): <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(f) RECORDING FEE: INCLUDE A SEPARATE CHECK IN THE AMOUNT OF \$ _____		
PAYABLE TO:		
(g) PAYMENT OF THE LAND USE CHANGE TAX IS DUE NO LATER THAN 30 DAYS AFTER MAILING OF THIS BILL. INTEREST, AT THE RATE OF 18% PER ANNUM, SHALL BE DUE IF THE TAX IS NOT PAID ON OR BEFORE: _____		

**STEP 8 - ACKNOWLEDGEMENT OF PAYMENT (COMPLETED BY MUNICIPAL TAX C OLLECTOR)**

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE OF MUNICIPAL TAX COLLECTOR (in black or dark blue ink)	DATE OF PAYMENT

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
INSTRUCTIONS  
**GENERAL INSTRUCTIONS**

**WHO MUST FILE**

The Municipal Assessing Officials shall complete the Form A-5, Municipality Land Use Change Tax Bill, to assess the Land Use Change Tax on land that has been classified as open space land and assessed at current use values on or after April 1, 1974 that has undergone a change and as such, no longer qualifies for current use assessment.

**WHEN TO FILE**

Municipal Assessing Officials shall assess the Land Use Change Tax within 18 months of the date upon which they receive written notice of the change of use from the landowner or his or her agent, or within 18 months of the date the Municipal Assessing Officials actually discover the Land Use Change Tax is due and payable.

**WHERE TO FILE**

Upon approval and signature of the Form A-5 by the majority of the Municipal Assessing Officials, the original and two copies of the Form A-5 along with the Form A-5W, Land Use Change Tax Warrant, shall be submitted to the Municipal Tax Collector for collection of the Land Use Change Tax. A copy of the Form A-5 and Form A-5W shall be retained by the Municipal Assessing Officials.

**BILLING AND COLLECTION OF THE TAX**

Upon receipt of the Land Use Change Tax Warrant, the Municipal Tax Collector shall mail one copy of the Form A-5 and this instruction page to the property owner of right-of-way responsible party. Payment of the Land Use Change Tax shall be due no later than 30 days after the mailing of the Form A-5 bill. If billed to the property owner, they must pay a recording fee. Interest of 18% will accrue on any unpaid tax after 30 days. Upon receipt of payment by the property owner, the Form A-5 is recorded at the country registry of deeds. Upon receipt of payment by the right-of-way responsible party, the Form A-5 is not recorded at the registry of deeds. Copies of the paid Form A-5 bills shall be given to the Municipal Assessing Officials for their records.

**APPEAL OF LAND USE CHANGE TAX**

Any person aggrieved by the assessment of a Land Use Change Tax may, within 2 months of the notice of tax date and not afterwards, apply in writing to the Municipal Assessing Officials for an abatement of the Land Use Change Tax pursuant to RSA 79-A:10. If the Municipal Assessing Officials neglect or refuse to abate the Land Use Change Tax, any person aggrieved may appeal within 8 months of the notice of tax date and not afterwards, to either the Board of Tax and Land Appeals or Superior Court in accordance with RSA 79-A:10 or RSA 79-A:11.

**ADA**

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the NH Department of Revenue Administration.

**NEED HELP?**

Contact your Municipality or Municipal and Property Division at (603) 230-5950.

<b>FORM</b>
<b>A-5</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**MUNICIPALITY LAND USE CHANGE TAX BILL**  
 INSTRUCTIONS

**LINE-BY-LINE INSTRUCTIONS**

**The Municipal Assessing Officials shall complete Steps 1 through 6. Steps 7 and 8 shall be completed by the Municipal Tax Collector.**

**STEP 1**

Indicate whether the property owner or the right-of-way responsible party will be assessed the tax. Provide the names and address of the party to whom the tax is being assessed.

**STEP 2**

- (a) If assessed to the right-of-way responsible party, list the name of the parcel landowner on which the change occurred.
- (b) Provide the parcel street location, municipality, and country on which the change in use occurred.
- (c) Provide the total acres of the parcel, tax map and lot number, and most recent deed reference for the parcel.
- (d) Indicate whether a portion of the parcel or the entire parcel is being released, or that it is a right-of-way change.

**STEP 3**

- (a) Provide the name of the property owner(s) that originally enrolled the land into current use including the registry of deeds book and page recording the reference.
- (b) Enter the total acres originally enrolled in current use.
- (c) Enter the total acres previously released since the original enrollment into current use.
- (d) Enter the number of acres subject to the Land Use Change Tax for this assessment.
- (e) Enter the number of acres remaining in current use, Step 3(b) minus Step 3(c) minus Step 3 (d).

**STEP 4**

- (a) Provide the description of the land disqualification.
- (b) Provide the actual date of the event that disqualified the land in the following format: MM/DD/YYYY.
- (c) Provide the full and true market value of the land at the time of change in use.
- (d) Calculate the Land Use Change Tax by multiplying the full and true market value of the land by 10% (.10).

**STEP 5**

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

**STEP 6**

- (a) Provide the name and address of the party to whom the tax is to be billed.
- (b) Provide the actual date of the event that disqualified the land in Step 4(b) in the following format: MM/DD/YYYY.
- (c) Enter the date of the Land Use Change Tax Notice.
- (d) Enter the full and true market value at the time of change in use as indicated in Step 4(c).
- (e) Enter the Land Use Change Tax owed as calculated on page 2, Step 4(d).

**STEP 7**

- (a) Enter the name of the municipality to which the checks are to be made payable. This should be the municipality in which the parcel of land is located.
- (b) Enter the name of the Municipal Tax Collector and the applicable mailing address to which payments should be remitted.
- (c) Enter the Municipal Tax Collector's physical office location.
- (d) Enter the Municipal Tax Collector's hours of operation.
- (e) If the Land Use Change Tax is being billed to the right-of-way responsible party, it is exempt from recording and the box should be checked "Yes". If the Land Use Change Tax is being billed to the property owner, it is not exempt and the box should be checked "No".
- (f) Enter the applicable county registry of deeds recording and filing fee for the recording of the lien release. Indicate to whom the recording fee check should be made payable.
- (g) Enter the final date that the taxpayer has to pay the bill to avoid late payment penalties.

**STEP 8**

The Municipal Tax Collector shall sign and date the form when the tax is paid, and if applicable, the Municipal Tax Collector shall remit the original signed Form A-5 with the recording fee to the appropriate County Registry of Deeds. Copies of the paid, and if applicable the recorded, Form A-5 shall be provided to the Municipal Assessing Officials for their record.

<b>FORM</b>
<b>A-5W</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**WARRANT FOR LAND USE CHANGE TAX**

**STEP 1 - TAX COLLECTOR'S WARRANT FOR LAND USE CHANGE TAX IN THE MUNICIPALITY OF:**

NAME OF MUNICIPALITY TOWN OF SUNAPEE		
STREET ADDRESS 23 EDMONT ROAD		
MAILING ADDRESS		
MUNICIPALITY SUNAPEE	STATE NH	ZIP CODE <b>03782</b>

**STEP 2 - COLLECTION OF LAND USE CHANGE TAX**

(a) State of New Hampshire, County of: SULLIVAN	
(b) To: JOSHUA BOONE	Municipal Collector of taxes
(c) for the municipality of: SUNAPEE	in said County.
(d) In the name of said State you are directed to collect the <b>LAND USE CHANGE TAX</b> in the list herewith committed to you, amounting in all of the sum of: \$ 27500 Interest at 18% will be assessed after 30 days.	
(e) Given under our hands at SUNAPEE TOWN OFFICE	
(f) This day of NOVEMBER 13, 2023	
(g) LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY NORRIS REVOCABLE TRUST- CHRISTPHER & NANCY NORRIS TRUSTEES	
LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY MAILING ADDRESS 17 CHURCH STREET , COHASSET MA 02025	
(h) MUNICIPAL TAX MAP 203	LOT NUMBER 007-006

**STEP 3 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS**

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE

<b>FORM</b>
<b>A-5W</b>

## NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION

### WARRANT FOR LAND USE CHANGE TAX

#### INSTRUCTIONS

##### WHEN TO FILE

The Municipal Assessing Officials, upon their approval of a Form A-5, Municipality Land Use Change Tax Bill, shall concurrently approve and sign the Form A-5W, Warrant For Land Use Change Tax.

##### WHO MUST FILE

The Municipal Assessing Officials shall complete Form A-5W, Warrant For Land Use Change Tax, as approved by the board, to serve as the warrant with which the Municipal Tax Collector shall collect the Land Use Change Tax from the landowner or the right-of-way responsible party.

##### WHERE TO FILE

The completed and signed original Form A-5W shall accompany the original Form A-5 and two copies to be delivered to the Municipal Tax Collector. The Municipal Assessing Officials shall retain a copy of both the Form A-5 and the Form A-5W for their records.

##### TAX COLLECTOR PROCEDURES

Upon receipt of the Form A-5W, Warrant For Land Use Change Tax, and Form A-5, Municipality Land Use Change Tax Bill, the Municipal Tax Collector shall mail a duplicate copy of the Form A-5 to the owner responsible for the tax as the notice thereof. Such bill shall be mailed, at the latest, within 18 months of the date upon which the Municipal Assessing Officials receive written notice of the change of use from the landowner or his agent, or within 18 months of the date the Municipal Assessing Officials actually discover that the Land Use Change Tax is due and payable. Upon receipt of payment from the property owner, the Municipal Tax Collector shall forward the original Form A-5 to the county registry of deeds for the purpose of releasing the recorded contingent lien as indicated by the A-5 on all, or only a portion of the property. The recording fee shall be payable by the property owner. Upon receipt of payment from the right-of-way responsible party, the Form A-5 does not get recorded at the registry of deeds. In either case, a copy of the paid Form A-5 bill shall be given to the Municipal Assessing Officials for their records.

##### WHEN TAX IS DUE

Payment of Land Use Change Tax and the recording fee shall be due not later than 30 days after mailing of the tax bill. Interest at the rate of 18 percent per annum shall be due on any taxes not paid within the 30-day period.

##### COLLECTION OF UNPAID TAX

Land Use Change Tax assessments create a lien against the property owner or the right-of-way responsible party. The tax lien shall continue for a period of 24 months. Unpaid tax is subject to collection proceedings pursuant to RSA 80.

##### ADA

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the New Hampshire Department of Revenue Administration.

##### NEED HELP?

Contact the Municipal and Property Division at (603) 230-5950.

#### LINE-BY-LINE FORM INSTRUCTIONS

##### STEP 1

The Municipal Assessing Officials shall provide the name of the municipality and mailing address in which the taxable property is located.

##### STEP 2

- (a) Name of the county in which the property is located.
- (b) Name of the Municipal Tax Collector.
- (c) Name of the municipality in which the property is located.
- (d) The amount of Land Use Change Tax due and payable.
- (e) The name of the municipality.
- (f) The month, day, and year of the warrant.
- (g) The property owner or right-of-way responsible party and address to whom the tax is being assessed.
- (h) The tax map and lot number of the property on which the Land Use Change Tax is being assessed.

##### STEP 3

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

<b>FORM</b>
<b>A-5W</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION  
**WARRANT FOR LAND USE CHANGE TAX**

**STEP 1 - TAX COLLECTOR'S WARRANT FOR LAND USE CHANGE TAX IN THE MUNICIPALITY OF:**

NAME OF MUNICIPALITY <b>TOWN OF SUNAPEE</b>		
STREET ADDRESS <b>23 EDMONT ROAD</b>		
MAILING ADDRESS		
MUNICIPALITY <b>SUNAPEE</b>	STATE <b>NH</b>	ZIP CODE <b>03782</b>

**STEP 2 - COLLECTION OF LAND USE CHANGE TAX**

(a) State of New Hampshire, County of: <b>SULLIVAN</b>	
(b) To: <b>JOSHUA BOONE</b>	Municipal Collector of taxes
(c) for the municipality of: <b>SUNAPEE</b>	in said County.
(d) In the name of said State you are directed to collect the <b>LAND USE CHANGE TAX</b> in the list herewith committed to you, amounting in all of the sum of: \$ <b>25000</b> Interest at 18% will be assessed after 30 days.	
(e) Given under our hands at <b>SUNAPEE TOWN OFFICE</b>	
(f) This day of <b>NOVEMBER 13, 2023</b>	
(g) LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY <b>BRUNS, KIRK L. &amp; COLLEEN</b>	
LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY MAILING ADDRESS <b>PO BOX 1451, WAITSFIELD, VT 05673</b>	
(h) MUNICIPAL TAX MAP <b>203</b>	LOT NUMBER <b>007-007</b>

**STEP 3 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS**

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE

<b>FORM</b>
<b>A-5W</b>

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION

**WARRANT FOR LAND USE CHANGE TAX**

**INSTRUCTIONS**

**WHEN TO FILE**

The Municipal Assessing Officials, upon their approval of a Form A-5, Municipality Land Use Change Tax Bill, shall concurrently approve and sign the Form A-5W, Warrant For Land Use Change Tax.

**WHO MUST FILE**

The Municipal Assessing Officials shall complete Form A-5W, Warrant For Land Use Change Tax, as approved by the board, to serve as the warrant with which the Municipal Tax Collector shall collect the Land Use Change Tax from the landowner or the right-of-way responsible party.

**WHERE TO FILE**

The completed and signed original Form A-5W shall accompany the original Form A-5 and two copies to be delivered to the Municipal Tax Collector. The Municipal Assessing Officials shall retain a copy of both the Form A-5 and the Form A-5W for their records.

**TAX COLLECTOR PROCEDURES**

Upon receipt of the Form A-5W, Warrant For Land Use Change Tax, and Form A-5, Municipality Land Use Change Tax Bill, the Municipal Tax Collector shall mail a duplicate copy of the Form A-5 to the owner responsible for the tax as the notice thereof. Such bill shall be mailed, at the latest, within 18 months of the date upon which the Municipal Assessing Officials receive written notice of the change of use from the landowner or his agent, or within 18 months of the date the Municipal Assessing Officials actually discover that the Land Use Change Tax is due and payable. Upon receipt of payment from the property owner, the Municipal Tax Collector shall forward the original Form A-5 to the county registry of deeds for the purpose of releasing the recorded contingent lien as indicated by the A-5 on all, or only a portion of the property. The recording fee shall be payable by the property owner. Upon receipt of payment from the right-of-way responsible party, the Form A-5 does not get recorded at the registry of deeds. In either case, a copy of the paid Form A-5 bill shall be given to the Municipal Assessing Officials for their records.

**WHEN TAX IS DUE**

Payment of Land Use Change Tax and the recording fee shall be due not later than 30 days after mailing of the tax bill. Interest at the rate of 18 percent per annum shall be due on any taxes not paid within the 30-day period.

**COLLECTION OF UNPAID TAX**

Land Use Change Tax assessments create a lien against the property owner or the right-of-way responsible party. The tax lien shall continue for a period of 24 months. Unpaid tax is subject to collection proceedings pursuant to RSA 80.

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**NEED HELP?**

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**LINE-BY-LINE FORM INSTRUCTIONS**

**STEP 1**

The Municipal Assessing Officials shall provide the name of the municipality and mailing address in which the taxable property is located.

**STEP 2**

- (a) Name of the county in which the property is located.
- (b) Name of the Municipal Tax Collector.
- (c) Name of the municipality in which the property is located.
- (d) The amount of Land Use Change Tax due and payable.
- (e) The name of the municipality.
- (f) The month, day, and year of the warrant.
- (g) The property owner or right-of-way responsible party and address to whom the tax is being assessed.
- (h) The tax map and lot number of the property on which the Land Use Change Tax is being assessed.

**STEP 3**

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

## APPLICATION FOR USE OF TOWN OF SUNAPEE FACILITIES

Area (Circle One): BenMere/Bandstand – Coffin Park - Dewey Beach - Georges Mills Harbor – Safety Services Building--Sunapee Harbor-Tilton Park

Name of Organization:

Person organizing = Megan Reed  
This Organization is: Non-Profit – Political – Private (N/A for profit companies)

Name of Duly Authorized:

Mailing Address: PO Box 768  
Sunapee, NH 03782

Daytime Phone: 603. 763. 5615 Evening Phone: 603. 381. 7053

I/We hereby apply for permission to use the above circled Town facility on:

Event Date: Thursday, Nov 30 Time: From: 6:00pm To: 7:00pm

Please describe the complete details of the event:(If advertising please include ad or flyer)

\*include a list of outside vendors that will be part of your event.

I am hoping to provide a time and place for people to gather on the one year anniversary of Mary Mouradian's tragic accident. We would gather at the gazebo, light candles and walk together - route along River Road, turn up the hill to Main St. past the Livery and return to the harbor.

I/We acknowledge understanding the following restrictions:

- (1) If this event will likely bring more than 50 people or 20 cars to the area, the applicant must first submit this application to the Chief of Police. The Chief of Police may require the applicant to hire police officer(s) for crowd or traffic control.
- (2) I/We agree to abide by the Town of Sunapee's Recreation Area Ordinance, which controls conduct and uses of this area.
- (3) The applicant shall indemnify and hold the Town of Sunapee, its employees, agents, and representatives harmless from any and all suits, actions, claims, in equity or at law, for damages asserted by any attendees at such function, or other third parties, resulting from the use of the premises, or from

the food and beverages served at the above-described function. In addition, in the event that the town is required to respond to any claims of any nature arising in connection with the function or the applicant's use of the premises, the applicant agrees to pay to the Town all costs, fees, charges and attorney's fees which may be incurred by the Town concerning such claims.

I/We plan on 50-75 # of people and 20 # of vehicles attending our event.

*(though hard to predict)*

Signature of Responsible Individual Meagan Reed

Date 11/6/23

[Signature]  
Approved by Chief of Police

11/8/23  
Date

0 # of Officer(s) will be assigned to event at applicant's expense.

Approved by Recreation Director (if applicable)

Date

Approved by Fire Chief (if applicable)

Date

Approved by Highway Director (if applicable)

Date

Signature of Approving/Denying Authority (Chairman of the Board of Selectmen)

Date

**Insurance:** At least ten (10) days prior to such scheduled function, the applicant shall furnish to the Office of the Sunapee Board of Selectmen written confirmation that the applicant has secured adequate liability insurance covering the event in an amount not less than \$300,000.

**\*Suggested \$50 contribution for non-residents**

**NO ALCOHOL ALLOWED ON TOWN PROPERTIES WITHOUT A  
ALCOHOLIC CONSUMPTION ON TOWN PROPERTY PERMIT**

RECEIVED

31 2023

TOWN OF  
SUNAPEE

APPLICATION FOR USE OF TOWN OF SUNAPEE FACILITIES

Area (Circle One): BenMere/Bandstand – Coffin Park - Dewey Beach - Georges Mills Harbor – Safety Services Building--Sunapee Harbor-Tilton Park

Name of Organization:

Project Sunapee  
This Organization is: Non-Profit – Political –Private (N/A for profit companies)

Meagan Reed (submitted by Caitlin Clepp)  
Name of Duly Authorized:

Mailing Address: 169 Burtchaven Hill Rd.  
Sunapee, NH 03782

Daytime Phone: 603-361-2604 Evening Phone: \_\_\_\_\_

I/We hereby apply for permission to use the above circled Town facility on:

Event Date: 12/9/23 Time: From: Noon To: 5pm

Please describe the complete details of the event:(If advertising please include ad or flyer)  
\*include a list of outside vendors that will be part of your event.

horse and wagon rides for Christmas event at  
the Livery

I/We acknowledge understanding the following restrictions:

- (1) If this event will likely bring more than 50 people or 20 cars to the area, the applicant must first submit this application to the Chief of Police. The Chief of Police may require the applicant to hire police officer(s) for crowd or traffic control.
- (2) I/We agree to abide by the Town of Sunapee's Recreation Area Ordinance, which controls conduct and uses of this area.
- (3) The applicant shall indemnify and hold the Town of Sunapee, its employees, agents, and representatives harmless from any and all suits, actions, claims, in equity or at law, for damages asserted by any attendees at such function, or other third parties, resulting from the use of the premises, or from

the food and beverages served at the above-described function. In addition, in the event that the town is required to respond to any claims of any nature arising in connection with the function or the applicant's use of the premises, the applicant agrees to pay to the Town all costs, fees, charges and attorney's fees which may be incurred by the Town concerning such claims.

I/We plan on 50-100 # of people and 50 # of vehicles attending our event.

Signature of Responsible Individual

*Caillie G. Clapp*

Date 10/30/23

Approved by Chief of Police

Date

                     # of Officer(s) will be assigned to event at applicant's expense.

Approved by Recreation Director (if applicable)

Date

*[Signature]*  
Approved by Fire Chief (if applicable)

11/5/23  
Date

Approved by Highway Director (if applicable)

Date

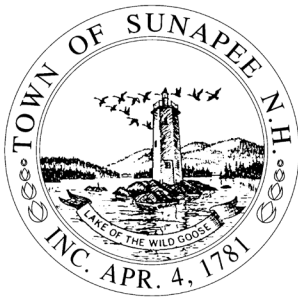
Signature of Approving/Denying Authority (Chairman of the Board of Selectmen)

Date

**Insurance:** At least ten (10) days prior to such scheduled function, the applicant shall furnish to the Office of the Sunapee Board of Selectmen written confirmation that the applicant has secured adequate liability insurance covering the event in an amount not less than \$300,000.

**\*Suggested \$50 contribution for non-residents**

**NO ALCOHOL ALLOWED ON TOWN PROPERTIES WITHOUT A  
ALCOHOLIC CONSUMPTION ON TOWN PROPERTY PERMIT**



## RIGHT TO KNOW REQUEST FORM TOWN OF SUNAPEE

23 Edgemont Rd.,  
Sunapee, New Hampshire 03782  
(603) 763-2212 Ext. 1023  
E-mail: [righttoknow@town.sunapee.nh.us](mailto:righttoknow@town.sunapee.nh.us)  
Website [www.town.sunapee.nh.us](http://www.town.sunapee.nh.us)

### FOR TOWN USE ONLY

DATE APPLICATION REC'D: \_\_\_\_\_  
FEE REQ: Y / N AMOUNT: \_\_\_\_\_  
FEE PAID: \_\_\_\_\_ METHOD: \_\_\_\_\_  
RTK # \_\_\_\_\_

Created 9/18/2023

**Right to Know Definitions:** Pursuant to §RSA 91-A:1-a, III, Governmental Records are defined as follows: "Governmental records mean any information created, accepted, or obtained on behalf of, any public body, or a quorum of the majority thereof, or any public agency in furtherance of its official function." Without limiting the foregoing, the term "governmental records" includes any written communications or other information, whether in paper, electronic, or other physical form, received by a quorum or majority of a public body in furtherance of its official function, whether at a meeting or outside a meeting of the body." The term "governmental records" shall also include the term "public records."

### Partial List of Exemptions to RSA 91-A:

- Preliminary drafts, notes and memoranda, and other documents not in their final form and not disclosed, circulated, or available to quorum of a public body,
- Records pertaining to internal personnel practices,
- Medical, welfare, or library user records, law enforcement audio-video recordings, income and asset information, vehicle records;
- Confidential, commercial, or financial information, and any other records whose disclosure would be an invasion of privacy,
- Notes or materials made for personal use which do not have an official purpose, including notes and materials made prior to, during, or after a public proceeding,
- Some law enforcement files (our office will confer with legal counsel before authorizing the release of any documents regarding law enforcement files) and some written legal advice.

**Filing a Right to Know Request:** While State law does not require the submission of a written Right to Know request, written requests assure that both the Town and requester have a verifiable copy of the request, and there is no ambiguity as to what is being requested.

**Right to Know Request Process:** Other than a request to review minutes in the Town Clerk's Office, which shall be granted, any request for public record shall be forwarded to the Town Clerk who is the keeper of the records for the Town. The Town Clerk will log the request before forwarding it to the Town Manager, who will determine if the document requested is within the 91-A guidelines. The request will then be assigned to the appropriate staff member to retrieve. All documents retrieved will be returned to the Town Clerk for the requestor to pick up. The Town Clerk will contact the requestor and log the time/date of contact. This policy is to comply with the following provision of §RSA 91-A:4-IV (a)(b):

*"Public bodies and agencies shall upon request for any public record reasonably described, make available for inspection and copying any such public record within its files when such records are immediately available for such release. If the body or agency cannot make the record available for immediate release, it shall within 5 (five) business days of the request, make such record available, deny the request in writing with reasons, or furnish written acknowledgement of the receipt of the*

*request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied."*

If the Town of Sunapee makes copies of requested information on a Town photocopier, then the applicant shall be charged the cost of making the copy as found in the Town's fee schedule. If an electronic file is requested, a media storage device in a new package, unused, can be provided and the file will be copied onto it at no charge and may be viewed at Town Hall. If the requestor wishes to maintain a copy of electronic file(s) provided by the Town, then the cost of the storage device will be charged to the requestor.

**If you have questions:** Please reference the the Town's website at [www.town.sunapee.nh.us](http://www.town.sunapee.nh.us) or contact the Town Clerk at (603) 763-2212 Ext. 1017.

## SECTION I. Name of Person Requesting & Description of Request

Name(s): \_\_\_\_\_ Date: \_\_\_\_\_

Email: \_\_\_\_\_ Phone #: \_\_\_\_\_

WRITTEN DESCRIPTION of Description of Document(s) Requested: \_\_\_\_\_

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Record Date(s): \_\_\_\_\_

Please provide any other information such as search terms, topics, etc, that may help us understand and respond to your request in a timely fashion: \_\_\_\_\_

Name of Public Body associated with request : \_\_\_\_\_

## SECTION II. REQUESTED FORMAT:

### 1. Please choose how you would like to obtain the information:

- ☐ I would only like to inspect the information.
- ☐ I would like to pick up hard copies
- ☐ Digital copy loaded on TOWN-PROVIDED USB Hard Drive (Fees apply)

There is a fee for hard copies to be provided, the fee is \$0.25 per page and \$10 for a Town-provided USB Hard Drive. For inspection only there is no fee.

\*If the request cannot be completed, the requester will receive a written explanation.

## SECTION III. AUTHORIZATION OF DOCUMENT RECEIPT:

### Record Receipt Authorization:

By signing below, I certify that I have reviewed and received all documentation from the Town of Sunapee relating to the original Right to Know request within the agreed upon time. This signature certifies that the Right to Know request has been

fulfilled to the best of the Town's ability and acknowledges that this request will be considered closed hereafter.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print: \_\_\_\_\_

**Electronic copy authorization:**

The undersigned, being in receipt of public records of the Town of Sunapee, understands, and hereby recognizes and acknowledges that:

- A.** Although the data being delivered does constitute a genuine copy of public records of the Town, the Town has not made and does not make any representation or warranty, express or implied, about the truth, accuracy, or margin of error of any information or facts contained in or derivable from such public records;
- B.** The data being delivered is solely for the limited purpose of municipal functions, and the Town makes no representation or warranty, express or implied, as to its accuracy, appropriateness, or suitability for any other purpose, use or application; and
- C.** The Town has not made, and does not make, any representation or warranty, express or implied, about whether the electronic data being delivered will continue to constitute a genuine copy of public records of the Town when it is read by, run upon, translated into, modified by, manipulated by or amalgamated with any particular electronic hardware, software, system, program, application or data base

I further acknowledge that I have read and understood the above statements and agree to the terms and conditions outlined therein.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print: \_\_\_\_\_

# TOWN OF SUNAPEE ETHICS POLICY

## For Town Officials, Board Members & Employees

It is the policy of the Town of Sunapee to uphold, promote and demand the highest standards of ethics and conduct from *all of* (agree remove) its employees and officials, whether elected, appointed or hired. The Board of Selectmen, all Town employees and all members of Town boards, commissions and committees should maintain the highest standards of personal integrity, truthfulness, *honesty* (agree remove) and fairness in discharging their public duties and never abuse their positions of trust for improper or personal gain. All Town officials, board members and employees should look to these principles for guidance.

### I. **PURPOSE:**

The purpose of these principles is to establish guidelines for the ethical standards of conduct for Town officials, board members and employees. We expect our Town officials, board members and employees:

- A. To always act in the best interests of the Town
- B. To disclose any personal, *financial* (keep) or other interests in matters affecting the Town that come before them for action
- C. To remove themselves from decision making if they have a conflict of interest or even the appearance of one; and,
- D. To be independent, *impartial* (keep) and responsible to their fellow townspeople in their actions.
- E. We expect the Town's decisions and policies to be made through the proper channels of government.
- F. We expect any public position in our Town not to be used for personal gain. It is important that the public has confidence in the integrity of its government and that Town officials, board members, volunteers and employees know and understand the contents of this document and can thus have an opportunity to protect their personal reputation.

### II. **EXPLANATION OF THE ETHICAL PRINCIPLES:**

- A. **There Should be no Conflicts of Interest**

Town officials, board members and employees of the Town of Sunapee should avoid conflicts of interest or even the appearance of a conflict of interest.

Town officials, board members or employees should not participate in any matter in which they, or members of their family, have a personal interest that may directly or indirectly affect or influence the performance of their duties. In such instances, they should recuse themselves from discussion and decision-making. Recusal means to remove oneself completely from all further participation in the matter in question.

Town officials, board members or employees who have been recused should immediately leave the room or should seat themselves with the other members of the public who are present. When recused they should not participate in further discussions unless they clearly state for the record that they are doing so only as a general member of the public. As a recused person, they should not deliberate or vote on the matter in question.

#### **B. There Should be a Duty to Recuse in Quasi-Judicial Action**

A “quasi-judicial action” is any action where the board or committee is acting like a judge or a jury. For example, when a board or committee has a duty to notify the potential parties, hear the parties and can only decide on the matter after weighing and considering such evidence and arguments as the parties *chose* (choose) to lay before such a board or committee, they are involved in a quasi-judicial action.

The work of the Planning and Zoning boards is largely a quasi-judicial action. Not only do Town officials, board members and employees have such a duty to recuse themselves as outlined in the section above, they should recuse themselves in a quasi-judicial action if they would not be qualified to sit as a juror in that case. For example, jurors are not qualified to sit in a case if they have advised or assisted either party in a matter being decided or are prejudiced to any degree regarding the pending matter or believe they cannot for any reason be totally fair and impartial.

#### **C. There Should be a Duty to Disclose**

Town officials, board members or employees should not participate in the conduct of business on behalf of the Town or enter into discussion or deliberation of any matter without first publicly and on the record stating all dealings, interests and relationships and

any other possible conflicts that may exist with the parties or the issue under consideration.

**D. There Should be no Unfair Use of Town Property**

No person should use town property, *services* (keep) or labor personally or make the same available to others, unless such use is available to other residents upon request on equal terms.

**E. There Should be no Misuse of Confidential Information**

No person should use any confidential information acquired by virtue of that individual's official position for personal benefit or for the benefit of any other person or business.

In addition, no person should violate the privacy of others by publicizing, gossiping or discussing confidential information acquired in the course of official duties.

**F. There Should be no Improper Gifts**

No person should accept a gift (or allow acceptance of such gift by a family member) from any individual, group or corporation that has or is likely to have matters pending before the Town, board, committee (keep) or commission on which the official or employee serves.

**G. All Should Expect to Receive Fair and Equal Treatment**

Acting in their official capacity, all Town officials, board members and employees should give *each and every* (each) person fair and equal treatment. No Town official, board member or employee should, in the course of their official duties, give or deny any person special consideration, advantage or treatment as result of the person's public status, position, sex, race, religion, creed, sexual orientation or national origin.

**III. EDUCATION:**

- A. At the time that each newly elected or appointed official, board member or employee takes the oath of office, they shall receive a copy of this Ethics Policy for signature.
- B. The Town Manager shall hold a meeting each spring for newly elected or appointed officials,

board members and employees so they may familiarize themselves with the provisions of these ethical principles.

- C. It shall be the responsibility of each Board Chair and department head to ensure that all employees or volunteers are aware of, have reviewed and signed this Ethics Policy annually.

Approved and adopted by the Select Board of the Town of Sunapee, NH XX, XX, XXXX.



THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.  
Commissioner  
October 31, 2023

David Rodrigue, P.E.  
Assistant Commissioner  
Andre Briere  
Deputy Commissioner

Shannon Martinez  
Sunapee Town Manager  
25 Edgemont St  
Sunapee, NH 03782

Re: NH Route 11 Roadway Repair, Project, #44438

Dear Ms. Martinez:

The NH Department of Transportation (DOT) is planning the subject project, which will entail repairs to a portion of NH Route 11 which was damaged during the July 2023 rain storm.

Some transportation projects require mitigation for possible wetland/stream impacts. The natural resources in this project area have not yet been identified and investigations are forthcoming. Preliminary engineering studies have begun and the Department will attempt to avoid, and minimize impacts through design before determining if there will be any stream or wetland impacts that may require mitigation. As a proactive measure the Department would like to request a list of the Town's preferred/priority mitigation efforts that the Department may evaluate and consider undertaking if it is determined that the project does in fact require mitigation. Please let us know if your Town has identified such priorities. In the absence of any Town priorities to evaluate the Department will pursue permittee responsible mitigation through the Stream Passage Improvement Program (SPIP). If it's determined that no viable options exist through the SPIP, the Department will pursue a payment into the Aquatic Resource Mitigation Fund (ARM Fund), at which time those funds will become competitively available through the ARM fund grant process.

Engineering studies have been initiated to refine the scope and limits of work necessary for this project. The Department's Bureau of Environment is in the process of evaluating the potential environmental impacts associated with the project. To assist in this evaluation, I am asking that you provide comments relative to the project's potential impacts on environmental, social, economic or cultural resources, by responding to the following questions.

1. Does the Town have a list of priority mitigation efforts (Top 10 Priority List) that the DOT may evaluate and consider undertaking if it is determined that the project does in fact require mitigation? If so, please provide the list. (e.g. problematic culvert/bridge crossings, land protection, habitat restoration, etc.)
2. Are there any existing or proposed community or regional plans that might have a bearing on this project?
3. Are there any natural resources of significance in the vicinity of the project? (e.g. prime wetlands, floodplains, rare species, etc.) Are there any known wildlife corridors or habitat strongholds in the vicinity of the project?
4. Are there any cultural resources of significance in the vicinity of the project? (e.g. stone walls, cemeteries, historical or archeological resources, etc.) *Please note that Section 106 of the National Historic Preservation Act offers those that possess a direct interest in historical resources, including town officials,*

*Historical Societies, and Historical Commissions, an opportunity to become more involved in an advisory role during project development as "Consulting Parties." Those interested should contact the Department.*

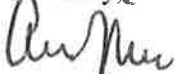
5. Are there any public parks, recreation areas, conservation lands, or wildlife/waterfowl refuges in the vicinity of the project? Have Land & Water Conservation Funds been used in the project area?
6. Are there any locally or regionally significant water resources or related protection areas in the project vicinity? (e.g. public water supplies, wellhead protection areas, aquifer protection districts, etc.)
7. Are there any water quality concerns that should be addressed during the development of this project? (e.g. stormwater management, NPDES Phase II, impaired waters, etc.)
8. Are you aware of any existing or potential hazardous materials or contaminants in the vicinity of the project? Are there asbestos landfills or asbestos containing utility pipes located within the project limits?
9. Do you have any environmental concerns not previously noted (e.g. noise impacts, farmland conversion, etc.) that you feel the Department should be aware of for this project?
10. Will the proposed project have a significant effect upon the surrounding area? If so, please explain.
11. Are you aware of any existing roadside populations of non-native invasive plant species (such as Japanese knotweed, phragmites, or purple loosestrife) in the project area?

This letter has been sent to the following departments, boards, and/or commissions:

- Board of Selectmen
- Planning Board
- Town Manager
- Fire Department
- Police Department
- Road Agent
- Conservation Commission
- Historical Society

The tentative construction date for this project is summer 2024. Please feel free to contact me if you have any questions or require further information regarding the above referenced project. Thank you for your assistance.

Sincerely,




Arin Mills  
Senior Environmental Manager  
NH Department of Transportation  
Bureau of Environment  
271-3226  
Arin.j.mills@dot.nh.gov

AJM:ajm  
Encl.

# SUNAPEE, #44438



## Legend

 Project Location

Map depicting roadway stabilization project along NH 11 in Sunapee.

Map created by Arin Mills on 8/9/2023

0 0.5 1 Miles

1:24,000

New Hampshire  
**DOT**  
Department of Transportation





## TOWN OF SUNAPEE

Post Office Box 717  
23 Edgemont Road  
Sunapee, New Hampshire 03782-0717  
Phone: (603) 763-2212

### **CERTIFICATE OF APPOINTMENT** TOWN OF SUNAPEE, NEW HAMPSHIRE

To, **Jeffrey Kellner**, of Sunapee, NH in the  
County of Sullivan

Whereas, there is a vacancy on the **Conservation Commission Committee** in said town and whereas we, the subscribers, have confidence in your ability and integrity to perform the duties of said office, we do hereby appoint you **Jeffrey Kellner** as a member of the **Conservation Commission Committee** of said town; and upon your taking the oath of office, and having this appointment and the certificate of said oath of office recorded by the town clerk, you shall have the powers, perform the duties, and be subject to the liabilities of such office, until another person shall be chosen and qualified in your stead. This term expires April 12, 2026.

Given under our hands this the 13<sup>th</sup> day of November 2023

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, **Jeffrey Kellner**, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member of the **Conservation Commission Committee** according to the best of my abilities, agreeably to the rules and regulations of the constitution and laws of the State of New Hampshire. So Help Me God.

STATE OF NEW HAMPSHIRE, ss.  
SULLIVAN COUNTY

Personally, appeared the above-named **Jeffrey Kellner** who took and subscribed the foregoing oath.  
Before me,

Date \_\_\_\_\_ 20  
Received and Recorded \_\_\_\_\_

\_\_\_\_\_  
Town Clerk

Present: Van Webb, chair, Tim Fleury, vice chair, Ginny Gwynn, treasurer, Cliff Fields, Doug Hanson, Barbara Chalmers.

Visitors: Suzanne Tether, Matthias Nevins, Jeff Kellner, Allyson Traeger

Meeting at Town Hall called to order by Van Webb at 7:00 PM.

1. MINUTES

- October minutes. **Motion** by Ginny to accept minutes, 2<sup>nd</sup> by Doug. Vote unanimous in favor.

2. TREASURER'S REPORT

- Ginny reported that proposed 2024 budget request has been submitted with level funding for Con Com General Fund at \$5,300 and Con Com Fund level at \$55,000 less our portion of Current Use Change Tax income for 2023. Once pending invoices are paid 2023 general fund should near zero out. **Motion** by Barbara to accept the treasurer's report, 2<sup>nd</sup> by Tim. Vote unanimous in favor.
- Barbara asked if the Dewey Woods Fund was a bank account and a Trustees of the Trust Fund expendable account? She had found paperwork that indicates a town trust fund account had been set up in 1938 called the Dewey Woods Fund, #E-4, PDIP #NH-01-0235-0024, expendable trust with income derived from the property. Ginny will look into this. **Action by Ginny**

3. INVOICES

- MeadowsEnd for Dewey Woods Meadow Restoration consulting Sep invoice #2023-1072 of \$325 and Oct invoice #2023-1075 for \$875. **Motion** by Tim to approve both for payment from professional services, 2<sup>nd</sup> by Doug. Vote unanimous in favor.
- Annual 2023-24 membership for ASLPT for \$500. **Motion** by Cliff to approve for payment from memberships account, 2<sup>nd</sup> by Barbara. Vote unanimous in favor.
- Annual SPNHF membership for \$250. **Motion** by Tim to approved for payment from memberships account, 2<sup>nd</sup> by Doug. Vote unanimous in favor.
- NHACC Nov 4 annual training workshop fee for attendance by Cliff and Ginny of \$130. **Motion** by Tim to approve for payment, 2<sup>nd</sup> by Barbara. Vote unanimous in favor.

4. MAIL

- DES Violation / Letter of Deficiency: Issued to Bolsinger of Old Norcross Rd off Garnet Hill Rd for shoreline vegetation removal. A restoration plan was ordered to be submitted to DES by Nov. 1. This regards Russell Point, a wooded peninsula near Loon Island Lighthouse. Barbara suggested the commission request a copy of the restoration plan, as they do not get copied to the town. Members agreed to asking for the plan. Allyson noted that having a copy would help the town with any follow-up. **Action by Barbara**
- DES Permit Applications:
  - Silverstein - Fernwood Pt, Raise boathouse (submerged in high water) under review
  - LSPA – replacement of Herrick Lighthouse supports – Permit by Notification
  - Bennett – 88 Hamel Rd Mt View Lake, shore wall rebuild – Permit by Notification
  - Capshaw - 20 Nilsen Lane, lake shore patio & walk rebuild - under DES review
  - Vinick – 71 & 75 Lake Ave, Sunapee Harbor, lake wall re-build- under DES review
  - Fishers Bay - marina dredge & sheet pile installation – under DES review
  - Kelley - 90 Garnet St, Dock, boathouse repair permit granted Sep 13
  - Gottling - 173 Lake Ave boathouse repair permit granted Sep 20

## 5. VISITORS

- Suzanne Tether of Heritage Road came to discuss her proposal to prohibit developments from ridgeline clear-cutting. She described her motivations, information gathering process to date, and positive meetings with the Planning Board. Since there is not enough time to work out all the necessary details for a zoning amendment article by the March vote deadline, Suzanne is pursuing a petition article that would express support for the concept of ridgeline protection. She noted that the Planning Board will be putting forward an article regarding steep slope development and that Newbury has implemented a policy of no clear cutting for development above elevation 1206 feet. Tim asked Suzanne who would enforce such a provision and how it would mesh with forestry practices? Suzanne responded that the planning board would enforce and that work guided by a professional forester is different from land clearing for development.
- Matthias Nevins, forester with MeadowsEnd. See Dewey Woods below.
- Jeff Kellner. See board vacancy below.
- Allyson Traeger, zoning and planning coordinator, was in attendance to be helpful and for coordination with town office.

## 6. OLD BUSINESS

- Dewey Woods Meadow Restoration: Matthias Nevins discussed planning for the restoration project and public informational site walk on Nov 6 at 1PM. He has modified the on-site tree flagging. An info sheet & map will be printed for handout, **Action by Barbara & Allyson**. Matthias will follow up with written permission from: DOT re tree cutting in Rte 11 RoW, and with Brian Garland / Sharon Thilicke property crossing for temporary skid road. Matthias to prepare: Public Notice of Project, Intent to Cut forms, draft contract, access agreements, bid prospectus. Tentative date for bidder site walk is Nov 21/22. Goal to have at least 3 bids, with bid opening at our Dec 6 meeting. **Action by Matthias**  
Allyson to confirm who will be signing contracts for the town. **Action by Allyson**  
Info re timber tax bond to be available for Nov 13 Selectmen's Meeting and be sent to Allyson. **Action by Matthias & Van**
- NRI Action Plan:
  - Build-out analysis: Barbara reported that according to Michael Marquis, a build-out analysis was completed in the late 1990s for the town by the Upper Valley Planning Council and that a max. town population of about 22,000 resulted. Michael does not have a copy of this document, but one may be available from the council.
  - "Low Impact Development" zoning provisions: Barbara reported that according to Michael Marquis, Sunapee does not have these provisions which usually offer incentives to the land developer to implement them.
  - Wetlands Overlay District: Review by Michael Marquis w/ a Com Com member re wetlands ordinance. **Pending**
  - Vernal Pool mapping: Barbara continues to note locations when pools found.
- View Easement at Ryder Corner Road: Tim noted nothing new to report. (This is in hands of town manager for legal assistance to word easement to protect town interests.) **Pending**
- Peer Review Meeting: Barbara reported October meeting continued discussion of Relax Inc. improvements to Route 103-Depot Road site. The wetland on their second tract was mapped, but proposed plan did not observed setbacks so is being reworked. A new Georges Mills village zoning district proposal is moving forward for March vote and will reduce max allowable commercial building size. Erosion issues at Muzzey Brook on Main Street, Georges Mills are being reviewed. Proposed cluster house project of a few months ago for a Beech St/103-B parcel with wetlands is not moving forward.

- Update on Tree Stand Removal & Right-of-way: Tim reported no update. (Town right-of-way over Samalis property and at Keyes Road is in hands of town manager for legal assistance.) Barbara noted that she visited the town parcel at Keyes Road last week and will go back with a better property line map.
- QR Code for Rec Use Data: Allyson Traeger provided data that 28 scans have logged in since posting. Barbara plans to get the QR code up at more trailhead locations. Currently at Ledge Pond, Dewey Woods, Tilton Park, Wendell Marsh at Ryder Corner Rd kiosks.  
**Action by Barbara**
- Proposed Dog Park: At last Saturday's master plan work community discussion, Steve Bourque, Rec Dept noted that how a dog park could fit within the open field with adjustments to the Frisbee toss was being studied.
- Commission Vacancy: Jeff Kellner has submitted a volunteer form to join the Con Com as a voting member. **Motion** by Cliff to support Jeff's application to the Con Com, 2<sup>nd</sup> by Ginny. Vote unanimous in favor. Jeff's application to go before the Selectmen and then he would be sworn in by Town Clerk. **Action by Jeff**
- Snowmobile trail at Ledge Pond Town Forest: Site walk with Van, Doug, Barbara, and Doug Gamsby took place Oct 20. Gamsby will prepare a map of the area to be stabilized and contact wetland scientist Bob Stuart for assistance. Cliff and Van met with the snowmobile club to discuss the issue and the club will apply for a grant to help defray costs of the stabilization work. They also agreed to close the trail to riders if warm winter weather makes the trail wet. On-site meeting Nov 7 with Doug Gamsby and Bob Stuart at 8AM to discuss stabilization strategy and permitting.
- 2023 Conservation Land (LCHIP) Monitoring: Van contacted MeadowsEnd for annual monitoring. This should be done before the end of the year.

### New Business

- Dewey Beach Parking Lot: Barbara reported that the Rec Com had planned to pave the parking lot at Dewey Beach in October. When a Highway Dept public email notice went out prior to the work, Barbara and many others contacted the town to express concern about paving. The town shelved the project and the LSPA offered their assistance to look for alternatives to paving for control of run-off. A meeting will be held later this month with town, Geoff Lizotte of LSPA, and Barbara for the Con Com. Barbara noted that the beach, beach parking lot area, and nearby roadway were all a part of a wetland drainage area into the lake before Garnet St was built in the 1890s and Dewey Beach established in 1938.
- 2024 PLANNH Sunapee Harbor Charrette: Van was sent background information regarding a 2024 PLANNH charette for Sunapee Harbor. Barbara noted this professionally led charette, or brain-storming planning session has been organized by Mike Durfor for next spring under the auspices of the Sunapee Heritage Alliance to discuss and explore options for the future development of Sunapee Harbor. This effort will help guide the Sunapee-Riverway Corp as they consider their future and their property changes in the harbor. This will be an opportunity for the community to express their vision for the harbor.
- Ausbon-Sargent ConCom Area Meeting: Ginny reported that meeting attendees from other Conservation Commissions discussed how they review DES applications. Some have 2 members visit all application sites. Ginny provided a sample letter used to request more

local review time. (Sunapee ConCom voted last June for Barbara to coordinate need for more review time as needed.) Ginny also noted that the report of the presence of Mile-a-Minute weed was news to all at the meeting.

- Barbara reported that Tim and Midge Eliassen of Trow Hill Road were named the 2023 NH Conservationists of the Year by the Society for Protection of NH Forests, a prestigious award. Congratulations to them!

Meeting adjourned 8:35 PM.

Next Meeting: Dec 6 at 7 P 4M

Respectfully submitted,

Barbara Chalmers, secretary

RECEIVED

NOV 03 2023

TOWN OF  
SUNAPEE

Gail H Gutterman

26 New Province Road • Sunapee NH 03782-3819  
603.865.5318 • gutsea@yahoo.com

October 30, 2023

Michael Martell  
Highway Director, Town of Sunapee  
621 Route 11  
Sunapee, NH 03782

Dear Mike,

I am writing to extend my sincere appreciation for a job well done by two of your crew members, Jon Chartier and Stephen Bowie. They were regrading our dirt road last week. The timing was ideal, as I was dealing with an issue with our mailman, Billy, who was going to stop mail deliveries due to the condition of the approach to our mailbox. Frankly, I considered the condition of the road to be perfectly acceptable, and so I took photos and showed them to the postal supervisor. The only irregularity was a dip at the property line due to runoff. The dip was certainly navigable. I was assured by the supervisor that the mail delivery would continue and that the approach was acceptable.

Along came Jon a few days later. He patiently listened to the concerns and told me that he would "address the situation." The following day Stephen came by and finished the grading so that there could be no complaints from USPS. Both Jon and Stephen represented our town well. They did not have to listen to my ranting but they did, and they made me feel that my taxes are being well spent. Employees like Jon and Stephen are often under appreciated, so please extend my heartfelt thanks to them.

Sincerely,



Gail Gutterman

CC: Town Manager Shannon Martinez ✓  
Town of Sunapee Selectboard