

**Town of Effingham, New Hampshire  
Historic District Commission**

**Public Hearing Minutes  
Center Effingham Historic District  
Effingham Public Library  
30 Town House Road, Effingham  
October 13, 2014**

**(Continuation of the Public Hearing held September 8, 2014)**

Present: P. Potter (Chair), R. Harrington (Assistant Chair), E. Jones (Secretary), N. Potter

Absent: J. McRae, L. Edwards (Selectmen's Representative)

The public hearing was called to order by the Chair at 7:00 p.m.

Members of the public in attendance were: E. Chick, K. Maguire, J. Murphy, E. Nordbeck, R. O'Neal, P. Riker, I. Riordan, B. Robinson, A. Sievers, M. Socha, and N. Socha.

The Chair first explained that this was a continuation of the second of two public hearings required by state RSAs to be held in the historic district for the purpose of accepting questions and/or comments from the public on the proposed changes to the Historic District Regulations.

Before beginning the discussion of any particular sections, the Chair recognized the Secretary who summarized for all present his report on the results of research conducted into issues concerning the correct versions of current and proposed regulations, which came to light at the Public Hearing held in the Lord's Hill Historic District on September 8<sup>th</sup>. The full report is attached to and made a part of these minutes.

Following the Secretary's report, the Secretary moved that, owing to the fact that our proposed regulations contain inaccuracies due to scrivener's errors and as a result of being based on an incorrect document, the proposed regulations be adjusted to accurately reflect the current regulations in order to make the document an accurate representation of the changes being put forward by the Commission at this time. Seconded by N. Potter. Passed and carried.

The Chair then opened the floor for discussion of the remaining sections of the document around which issues still existed.

The Secretary indicated that based on the adjustments just made, the only section where an issue or concern was raised through public comment that still remained was on page seven of the proposal, number 35, Fees, where the Commission has proposed to raise the filing fee from \$15.00 to \$30.00.

After the Chair opened the floor to comments on number 35, Fees, the Secretary made a procedural inquiry as to whether comments he wished to make should occur at this point or during the Commission's deliberative discussions on this change. The Chair indicated that either was appropriate. The Secretary then indicated that he was still in favor of raising the fee to \$30.00, based in part on two main reasons. First, that the fee has not been increased since it was first put in place in 1992 and that solely based on inflation and the need to cover expenses of the Commission that it should have increased already. Second, that based on some brief

research into the general zoning of the town, that property owners in the historic districts enjoy an additional level of protection against certain types of land use because those uses are either outright not allowed in the historic districts or are only allowed by special exception versus areas of the town where they are either allowed outright or allowed only by special exception. The Secretary felt that as a result of the additional protections against certain uses, property owners in the historic districts had a reasonable expectation that the character of their neighborhood would be preserved much as it currently exists and that this could potentially lead to higher appraisal values for those properties, a benefit not necessarily enjoyed by other property owners within the town. N. Socha and M. Socha reiterated their objections to the increase, indicating that given the various other fees already required by other boards, as well as the high property taxes, that it was both unfair to property owners in the historic districts to require an additional fee and that given the already difficult market for real estate in Effingham as the result of the high taxes compared to other communities, that adding more fees for properties in the historic districts would potentially make those properties even more difficult to sell. I. Riordan spoke against the increase, in part based on the fact that when the Historic District Ordinance was first passed in 1987, the property owners were promised that there would never be any fees associated with the ordinance and that that promise had already been broken in 1992 when a fee was instituted. The Secretary in response indicated that while that may have been true, it was not necessarily wise for the promise to have been made since it could not possibly have been guaranteed to have been kept. K. Maguire indicated her opposition to the increase, in part based on the fact that many of the owners in the historic districts are on fixed incomes and that the increased fee could potentially pose a hardship to those owners. She also felt that when the Historic District Ordinance was created it was meant to ensure the character of the neighborhoods but that now the town seemed to be getting very bogged down in regulations. It was noted by the Chair that the majority of the regulations in question have been in place for more than 22 years at this point and that the current proposal only makes some changes to those existing regulations. N. Potter noted that other boards in town have paid Secretaries, while the Historic District Commission does not, and that were the Commission to have a paid Secretary, our resulting expenses and need for offsetting income would be even greater.

There being no further comments on number 35, Fees and no further comments on any other sections of the current proposal of amendments to the Historic District Regulations, the Chair closed the comment period. The Commission then began the process of acting upon the proposed change to number 35, Fees. It was moved by the Secretary, seconded by N. Potter, that the filing fee as described in number 35, Fees, be increased from \$15.00 to \$30.00. There being no further discussion, the Chair called for a vote. Passed and carried.

There being no further business to come before the Public Hearing, the Chair indicated he would entertain a motion to adjourn. Before such a motion was made, the Secretary, for the benefit of the Commission and members of the public present, outlined briefly the process by which the approved changes to the Historic District Regulation will be codified. Based on this process, the changes will not take legal force and effect until sometime in mid-November.

The public hearing was adjourned at 7:37 p.m.

Respectfully submitted,

Erik Jones  
Secretary