

Senate Election Law and Municipal Affairs Committee

Jessica Bourque 271-2104

SB 46, enabling municipalities to allow land impacted by new construction or reconstruction to be eligible for current use valuation only after a no cut, vegetated buffer is established and maintained.

Hearing Date: January 21, 2025

Time Opened: 10:02 a.m.

Time Closed: 10:17 a.m.

Members of the Committee Present: Senators Gray, Perkins Kwoka and Long

Members of the Committee Absent : Senators Lang and Rochefort

Bill Analysis: This bill allows municipalities to permit land affected by new construction or reconstruction to be eligible for current use valuation only after a no-cut, vegetated buffer is established and maintained.

Sponsors:

Sen. Ward

Who supports the bill: Senator Ruth Ward, Al Fulchino, Tanya McIntire, Michael McIntire

Who opposes the bill: Jason Stock, Norm Bernaiche, Robert Johnson, Matt Leahy

Summary of testimony presented in support:

Tricia Melillo, Senate Majority Caucus Director

- Introducing this bill on behalf of the prime sponsor, Senator Ward
- Senator Ward was asked to submit this legislation by a constituent.
- This bill would enable municipalities to allow land impacted by new construction or reconstruction to be eligible for current use valuation only after a no-cut, vegetated buffer is established and maintained.

Senator Perkins Kwoka asked if this is trying to get at a different buffer than would be established pursuant to permitting or wetland buffers etc.

- Others are planning to speak behind her who would be better to answer that question.

Tanya McIntire

- Asked Senator Ward to put this bill in.

- Would allow the land in the 250 foot buffer to be eligible for current use.
- Maintaining shoreland in current use property has little impact on local towns and is an economic benefit for New Hampshire.
- What has been happening is that the minimum requirement of the Shoreline Protection Act has been adjusted for proposed developments.
- This bill proposes that cottages be allowed to be constructed on posts to protect the shoreline.
- Believes that this bill as written needs an amendment.

Senator Gray said there is a lot in that Ms. McIntire is talking about that is not in this bill and doesn't have to do with maintaining a vegetated buffer.

- Agrees with Senator Gray that the bill needs an amendment.

Summary of testimony presented in opposition:

Jason Stock, NH Timberland Owners Association

- Doesn't think that this bill as written accomplishes the intent of the prime sponsor.
- Current use is a statewide program, which makes things a lot more simple.
- He doesn't think it is a very good idea to have town-by-town ordinances.

Norm Bernaiche, Hanover

- He is a member of the Current Use Board, but he is not speaking for them.
- Assessor for 41 years, 15 of those years were in the towns of Sunapee, New London, and Newbury.
- This would lower assessed values.
- This would be very difficult for the communities administratively.
- Current use is a statewide program and to start breaking it apart would be a problem.

Rob Johnson, NH Farm Bureau

- There is no program in New Hampshire that is more important to farmers than the current use program.
- The "new construction" language is concerning. He wonders how "new construction" will be defined.
- The "no-cut" language is concerning.
- Current use program is effective and simple.

Matt Leahy, Forest Society

- The Forest Society is one of the groups that lobbied for the current use program in the late 1960s and early 1970s.

- This would create a lot of confusion and does not strengthen the current use program.