



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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Memorandum

To: New London Selectboard

From: Kristen McAllister, Chief Assessor

Re: Land Use Change Tax (LUCT) Recommendation

Date: July 30, 2024

Chetwood Trust 339 Davis Hill Road Map 054-002-000

The trust owns a 37-acre parcel on the shore of Lake Sunapee, with 33.53 acres protected under a conservation easement with Ausbon Sargent since 2003. During a review of properties on Lake Sunapee, I observed a seasonal dock on this property in a previously unrecorded location. I contacted the owners to discuss this matter, as the dock's location falls within the conservation easement and is assessed at Current Use values.

Two of the owners visited the office, explaining that they had not considered the Current Use implications. They installed the dock to avoid the crowded sandbar directly in front of their property, which is the only part of the waterfront not under Current Use assessment.

The property currently benefits from a 20% land discount due to the public's heavy use of the sandbar, which causes considerable noise and frequent trespassing. Despite the increasing intensity of sandbar use, the 20% discount remains appropriate as property values rise.

The owners wish to keep the seasonal dock for personal enjoyment and privacy. However, as the dock's use exceeds *passive recreation, 23 feet of waterfront, along with 0.002 acres, should be removed from Current Use assessment. According to case law, we must exclude 10 feet on either side of the dock's three-foot-wide attachment.

Given the difficulty of finding comparable sales, I rely on our assessing software model, which is updated for the tax billing year-end 2023, to estimate the market value of the area to be removed. The estimated additional taxable value is \$44,800.

The Land Use Change Tax, set at 10% of fair market value, amounts to \$4,480.

**Passive Recreation is considered hiking trails, snowmobiling, hunting as examples*