

A G E N D A
TOWN COUNCIL MEETING

July 6, 2026

**Old Town Hall/Museum
310 Main Street, Salem, NH**

7:00 p.m. CALL TO ORDER

1. Pledge of Allegiance
2. Meeting Minutes
3. Chairman Comments
4. Approve Consent Agenda
5. Additions and/or Requests by Public or Council by Vote
6. Employee of the Month Recognition
7. Interview Session – Conservation Commission and Historic District Commission
8. First Read/Waiver
 - a. Resolution No. 2026-13 – Authorize Lease Agreement for Fire Engine Pumper
9. First Read
 - a. Resolution No. 2026-14 - Community Development Department – Consider Amendment to Commercial Tax Credit Program Criteria
 - b. Resolution No. 2026-15 – Assistant Town Manager - Public Hearing – Consider Proposed Amendments to Salem Municipal Code Chapter 409 (Solid Waste)
10. New Business
 - a. Conservation Commission – Accept \$2,000.00 Donation from Edward Hawkins
 - b. Community Development Department/Planning Division - Historic District Commission Rules of Procedure (Bylaws) Update
 - c. Municipal Services Department – Water Restrictions Update

- d. Municipal Services Department – Discussion on Traffic Safety Intersection Evaluation
 - 1. North Main Street and Bluff Street Traffic Safety Intersection Evaluation
 - 2. Hampstead Road, Shannon Road, Town Farm Road and Liberty Street Traffic Safety Intersection Evaluation
- e. Town Manager’s Report/Questions from the Council

11. Old Business/Tabled and Pending

12. Upcoming Meetings
- August 3, 2026
 - September 14, 2026
 - September 28, 2026

Adjourn

**MINUTES OF THE
Town Council**

**Regular Meeting of
June 15, 2026**

The Town Council held a meeting on Monday, June 15, 2026, at the Media Center at Salem High School Salem, NH.

PRESENT: Chairman Robert Bryant, Councilor Joe Sweeney, Councilor Cathy Stacey, Councilor Paul Pelletier, Councilor Jeffrey Hatch, Councilor Lisa Withrow, Councilor D.J. Bettencourt, Councilor Bonnie Wright, Councilor Keith Stramaglia, and Joe Devine (Town Manager).

CALL TO ORDER:

Chairman Bryant began by calling the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

Councilor Wright led the Town Council in the Pledge of Allegiance.

2. Meeting Minutes

MOTION: by Councilor Withrow

Move to approve the Town Council Public Session Meeting Minutes from June 1, 2026.

SECOND: by Councilor Sweeney

VOTE: 9-0-0

The motion passed unanimously.

3. Chairman Comments:

None.

4. Approve Consent Agenda

MOTION: by Councilor Sweeney

Move to approve the June 15, 2026, Consent Agenda.

SECOND: by Councilor Stramaglia

VOTE: 9-0-0

The motion passed unanimously.

5. Additions and/or Requests by Public or Council by Vote

None.

6. Employee of the Month Recognition

Manager Devine stated that Todd Welch from the Engineering Division was the Employee of the Month.

Wayne Amaral, Municipal Services Director, stated that Mr. Welch had helped the Department during some challenges as they went through staffing changes over the past year and done very good work keeping projects on track.

7. Second Read/ Adoption

a. Resolution No. 2026-11 – Assistant Town Manager – Consider Outside Human Services Agencies Funding Policy

Manager Devine stated that the documents were in the packet and the Assistant Town Manager was here to answer any questions.

Councilor Withrow asked if there was anything in the agreement to prevent the officers of the organization from requesting additional money through a petition if the Town put the requested funds in the Operating Budget.

Colleen Mailloux stated that it was not in the policy. They would speak with the organization about the expectation that the officers would not also submit a citizen's petition. They could add language to the policy.

Councilor Withrow stated that they could not stop residents from submitting a petition, but she felt that the officers should not be trying to double dip. She wanted to see some language that the organization would not submit a citizen's petition.

Ms. Mailloux stated that they could add it in the motion or they could come back with the language at a future meeting.

Councilor Withrow stated that she would prefer adding it to the motion.

Chairman Bryant stated that it would be added to the motion.

MOTION: by Councilor Sweeney

Move that the Salem, NH Town Council adopts Resolution No. 2026-11. This Resolution shall take effect upon its passage as follows:

Resolution #2026-11

Adopt Town Funding of Outside Human Services Agencies Policy

WHEREAS the Salem Town Council has the authority to establish policies and procedures for the Town of Salem, NH; and

WHEREAS the Town of Salem is obligated adopt guidelines for general assistance under RSA 165 and to provide assistance to individuals; and

WHEREAS the Salem Town Council recognizes that the services provided by outside human service agencies may fill gaps in essential services that the Town would be obligated to provide; and

WHEREAS the Town of Salem seeks to clarify the policies and procedures relating to the funding of outside human services agencies;

NOW, THEREFORE, BE IT RESOLVED BY THE SALEM TOWN COUNCIL THAT the Salem Town Council hereby adopts the Town Funding of Outside Human Services Agencies Policy with the addition from Councilor Withrow.

1 **SECOND:** by Councilor Withrow

2 **VOTE:** 9-0-0

3 **The motion passed unanimously.**

4
5 **8. First Read/Waiver**

6 **a. Resolution No. 2026-12 - Assistant Town Manager - Consider Transfer Station**
7 **Fundraising Policy**

8 Manager Devine stated that this was to adopt a policy.

9
10 Ms. Mailloux stated that there were a number of organizations that fundraised at the Transfer
11 Station. There was no formal policy covering this. It was generally just an unwritten policy that
12 was followed which required that the organization be based in Salem and assist Salem residents.
13 This was to give the Town written guidelines for how that happens. It included a requirement
14 that the fundraising not interfere with Transfer Station operations. There would be one
15 organization at a time that could conduct fundraising.

16
17 Councilor Bettencourt stated that the safety regulations made sense. He asked if any groups
18 would be excluded under the policy.

19
20 Ms. Mailloux stated it would not. All of the groups that have done fundraising there over the past
21 few years will still be able to fundraise there.

22
23 Councilor Bettencourt stated that he wanted to just make it clear that this was to cover safety
24 rather than exclude anyone.

25
26 Councilor Pelletier asked if the area where the fundraising happened was still the same.

27
28 Ms. Mailloux answered yes.

29
30 **MOTION:** by Councilor Sweeney

31 *Move that the Salem, NH Town Council adopts Resolution No. 2026-12 and Policy No. 2026-*
32 *04 relating Fundraising at the Transfer Station; and further waives the requirement for a*
33 *second reading. This Resolution shall take effect upon its passage as follows:*

34 *Resolution No. 2026-12*

35 *Adopt a Policy for Fundraising at the Transfer Station*

36 *WHEREAS the Salem Town Council has the authority to establish policies and procedures for*
37 *the Town of Salem, NH; and*

38 *WHEREAS the Town Council recognizes that Salem-based non-profit and community*
39 *organizations may at times request to conduct fundraising activities at the Salem Transfer*
40 *Station; and*

41 *WHEREAS the Town seeks to ensure that fundraising activities at the Transfer Station are*
42 *conducted in a safe and organized manner that does not interfere with Transfer Station*
43 *operations;*

44 *NOW, THEREFORE, BE IT RESOLVED BY THE SALEM TOWN COUNCIL THAT the*
45 *Salem Town Council hereby adopts the Fundraising at the Transfer Station Policy*

46 **SECOND:** by Councilor Withrow

1 **VOTE: 9-0-0**

2 **The motion passed unanimously.**

3
4 **9. New Business**

5 **a. Police Department – Announce Retirement of K9 Dash and Authorize Release of**
6 **Dog to K9 Officer Paul Benoit**

7 Manager Devine stated K9 Dash had retired.

8
9 Joel Dolan, Police Chief, stated that K9 Dash had been with them since 2015. The past practice
10 was to allow the handler to adopt the dog at the time of retirement, so they were requesting that
11 happen in this case.

12
13 Chairman Bryant stated that this was past practice since the dogs were family to the officers.

14
15 **MOTION:** by Councilor Sweeney

16 *Move to authorize the Town Manager to sign any and all forms necessary to formalize the*
17 *release/purchase of Police K9 Dash to K9 Officer Paul Benoit.*

18 **SECOND:** by Councilor Wright

19 **VOTE: 9-0-0**

20 **The motion passed unanimously.**

21
22 Chief Dolan stated that a new K9 had finished training last week.

23
24 **b. Community Development Department – Consider Request of Conservation**
25 **Commission to Acquire Land off Norwood Road**

26 Manager Devine stated that this was a request from the Conservation Commission to purchase
27 seven parcels off Norwood Road for a cost of \$500,000.

28
29 Clayton Brubaker, Community Development Program Manager, stated that the Conservation
30 Commission was looking to acquire seven parcels off Norwood Road. This purchase would be
31 funded entirely by money from the Conservation Fund. They had been talking with the owner
32 about purchasing this land for about seven to ten years. It was just over ten acres with a quarter-
33 mile shoreline on Arlington Pond. It would deed-restrict the land for conservation purposes only.
34 It was consistent with the Town Master Plan. It was some of the last undeveloped land around
35 Arlington Pond. He presented slides showing where the parcel was and pictures of the property
36 starting with the two entrances to the parcels.

37
38 Georgia Brust, Conservation Commission Chair, stated that they had been working with the
39 owner to reach an agreement. The owner inherited the land after her brother passed away. The
40 brother had served on a Town Committee in the past and had wanted to leave the land as
41 conservation land.

42
43 Councilor Sweeney asked about the owner donating the land if they wanted to keep it
44 undeveloped.

45
46 Ms. Brust stated that the owner was not in a financial position to be able to donate the land.

1 Councilor Hatch stated that it had been talked about for years with the previous owner. He asked
2 about the plan for the land and how to maintain it. It tended to be an area where trash was
3 dumped.

4
5 Ms. Brust stated that the neighborhood had been maintaining it because there were trails through
6 the parcels already. They would keep the trails maintained and look to work with people in the
7 area to maintain them. There was a large area where parking could be placed. There was another
8 paved parking area that they would use for visitors.

9
10 Councilor Stacey stated that she looked into the area. She did not think that there was a lot of
11 parking there. The owners on both sides of it would probably not be happy with parking there.

12
13 Ms. Brust stated that she had spoken with the abutters about the Town's intent to purchase the
14 land and what it would mean for the residents of the area. Hunters had been using the land in the
15 past.

16
17 Councilor Stacey stated that there were a lot of deer. She asked about it coming out of current
18 use and who would pay the fee.

19
20 Ms. Brust stated that she did not know about the current use. The owner had another parcel with
21 her house on it that was for sale and the buyer would be responsible for paying the current use
22 fees.

23
24 Mr. Brubaker stated that he looked into the current use questions. The ten acres would stay in
25 current use so there would be no penalty that needed to be paid.

26
27 Councilor Pelletier stated that he felt that the two upland lots could be sold to developers. Those
28 lots had water views. The other lots were probably not buildable. He wondered if they could be
29 sold in the future to create revenue for the Town.

30
31 Ms. Brust stated that the owner decided to include those lots after looking at developing them.
32 There were animal habitats there and the owner did not want those lots developed or to interfere
33 with the animal habitats. The owner did not plan to develop those lots during her lifetime.

34
35 Councilor Pelletier asked about the highlighted parcel.

36
37 Mr. Brubaker stated that it was just one of the lots in the purchase.

38
39 Chris Goodnow stated that they felt that there was value in this land remaining together. He did
40 not feel that this was a good area for a housing project given the density requirements and the
41 topography. It was an area where septic and wells were used. The sale price was not
42 representative of the land value.

43
44 Caitlin Fitzpatrick, Conservation Commission, spoke about the lots and the issues that would
45 happen if they were developed including runoff problems. They were using 26% of their budget
46 for these lots.

1 Councilor Wright stated that there would be several Eagle Scout projects that could be done on
2 these lots.

3
4 **MOTION:** by Councilor Bettencourt

5 *Move in accordance with RSA 36-A:4, that the Town Council authorizes the Conservation*
6 *Commission to purchase Map 22, Lots 10785 through 10791; and further authorizes the Town*
7 *Manager to sign any and all documents necessary to effectuate and finalize the agreement.*

8 **SECOND:** by Councilor Hatch
9

10 Councilor Withrow stated that more expensive houses could be built there. She felt that the lots
11 could be left alone. The Town could save the money since the owner did not want to develop the
12 lots. Councilor Withrow felt that they could be donated if the owner wanted to provide them to
13 the Town. She was not in favor of this.

14
15 Ms. Fitzpatrick stated that a lot of engineering would be needed to put the lots in. There would
16 be issues with septic setbacks as well. The buildable area would be very small.

17
18 Councilor Sweeney stated that he did not hear anything that this land needed be purchased. It
19 seemed like a bad deal for the Conservation Commission. He read that Zillow description for the
20 house lot that was for sale. The description referenced a Town Conservation Area as abutting it.
21 Councilor Sweeney felt that the money should be spent on preserving land that would be
22 developed otherwise rather than on land that was not in danger of development. He did not see
23 the need to spend this money. There was a better deal for the land out there. The fund only had
24 so much money that could be spent.

25
26 Councilor Bettencourt stated that he felt that there was a compelling interest in protecting the
27 land. He understood the tax impact. There was also an argument for finding more efficient ways
28 to do business. Councilor Bettencourt did not hear much about not doing enough for housing. He
29 heard frustration from residents about the lack of open space. Councilor Bettencourt did not feel
30 the need to develop every piece of land by cramming a house into it. There would be
31 environmental issues if the lots were developed because these lots had steep hills. Runoff kept
32 the lake from being enjoyable. The benefits of revenue would be offset by the environmental
33 impacts that had to be dealt with. He did not feel the need to micromanage the Conservation
34 Commission and felt they should support the Conservation Commission with this purchase.

35
36 Expensive homes would have expensive lawns with lots of chemicals that could run into the
37 water source.

38 Councilor Hatch spoke about it not being donated because the prior owner wanted to get money
39 for it. He felt that no lot was unbuildable given his time on the ZBA. This was a good use of the
40 Conservation Fund. It was cheap money for the amount of land that was being purchased.

41 Councilor Hatch felt it was worth protecting the land.
42

43 Councilor Wright stated that she agreed with Councilor Hatch about land being developable. She
44 did not see a lot of undeveloped land left in Salem. This was a good use of the fund.
45

1 Councilor Sweeney stated that he felt that they were doing the owner a favor by buying the land.
2 He did not see the argument for spending the money because the owners did not want to develop
3 it. It could not be developed if it was in current use. The house could be sold and the other land
4 left undeveloped without the Town getting involved. Councilor Sweeney stated that he did not
5 see the value here.

6
7 Mr. Goodnow stated that the owner was in her 80's and had a nephew that was not as interested
8 in keeping the land in current use. There may be a time when the intent to develop the land
9 changed.

10
11 Councilor Wright spoke about a lot that was not purchased in a different town and later built on
12 by a new owner.

13
14 **VOTE: 5-4-0**

15 **The motion passed with Councilor Stacey, Councilor Withrow, Councilor Sweeney, and**
16 **Councilor Pelletier opposed.**

17
18 **c. Municipal Services Department - Transfer Station Study Committee Update**

19 Manager Devine stated that the Town Council established a study committee a year ago. They
20 were now coming in to provide a report for the Council.

21
22 Mr. Amaral stated that they had accomplished a number of things in the last year. The committee
23 was established to review the operations of the Transfer Station and make recommendations for
24 improvement. They reviewed the policies and procedures and will have some recommendations
25 for changes to the Municipal Code in the near future. The biggest change was the elimination of
26 the section regarding small business haulers because they had not used the provision in years.
27 When those licenses were being issued in the past there were problems with monitoring it. The
28 small businesses now contract with vendors for disposal. The accomplishments beyond creating
29 committee bylaws included placing signage required by the NHDES, improving informational
30 signage at the Transfer Station, publishing the holiday schedule for the Transfer Station six
31 months in advance, reviewing the permit plan, and updating the wording on the bulky permits to
32 include language that people were allowed one mattress and one box spring. They were
33 collecting a lot of mattresses, so they wanted to reduce that amount. The committee was working
34 on standard operating procedures for the Transfer Station personnel to use. They were also
35 working on the ash disposal issue and preparing for the next Transfer Station Operations contract
36 by looking for someone to assist with it. They had received no bids on the first RFQ. The
37 Committee had also looked into the swap shop with a recommendation that volunteers manage
38 the program. They were going to continue with it, but it did require a lot of work in order to be
39 successful. It had to be stuff that could be reused rather than junk.

40
41 Councilor Hatch asked if there were any plans to take landscapers because they currently had to
42 go elsewhere.

43
44 Mr. Amaral answered that they had not had that discussion, but it might be worth the Committee
45 discussing it.

1 Councilor Hatch stated that if they were going to allow business owners then they should allow
2 landscapers. He stated that they should look at the bulky permits and maybe consider charging
3 for each mattress. It had been suggested before and they had asked for the information. The
4 surrounding towns all charged for mattresses so it was why you would find them on the side of
5 the road or see someone bringing in three queen-size mattresses at the Transfer Station.

6
7 Mr. Amaral stated that they were hoping the consultant would be able to tell them what other
8 towns were doing. It was \$85 to dispose of a mattress in Massachusetts and a little less in New
9 Hampshire. The residents were all paying that disposal cost currently.

10
11 Councilor Hatch stated that he liked to compare Salem to Derry. Derry was self-sufficient and
12 they were able to be that way because they took in C&D from anywhere. It was a revenue source
13 that Salem should look at. Derry charged for mattresses and televisions. They might be forced to
14 get to the point where they took payments at the Transfer Station.

15
16 Mr. Amaral stated that Salem was very far away from being self-sufficient given the rates that
17 Salem charged.

18
19 Councilor Withrow asked if they were working towards being more self-sufficient.

20
21 Mr. Amaral stated that they were hoping the consultant could provide guidance towards that.

22
23 Councilor Withrow stated that that should be the goal.

24
25 Mr. Amaral stated that it should be the goal, but it would take work to get there, and it was a
26 discussion the Council would have to have. The Transfer Station was very subsidized at the
27 moment.

28
29 Councilor Withrow stated that it had been subsidized for years and the Town never tried to
30 address it.

31
32 Chairman Bryant stated that when they had C&D people would put chairs and stuff in there
33 which was not construction debris. He spoke about a swap shop he had seen in Connecticut.
34 Chairman Bryant stated that he did not want to see ash on the roads again.

35
36 **d. Consider Request for Waiver of SMC 477 (Water), Section 14 Requiring**
37 **Installation of a Well for Irrigation System at New Police Department Facility**

38 Manager Devine stated that the Town was seeking a waiver for the irrigation system at the Police
39 Station. The plans had not included a separate well. They were requesting a waiver.

40
41 Councilor Hatch asked if it was a waiver that was conditioned on it being a Police Station.

42
43 **MOTION:** by Councilor Stacey

44 ***Move that the Town Council approve a waiver from Salem Municipal Code Chapter 477,***
45 ***Article IV, §477-14(C)(3) and authorize the irrigation system serving the new Salem Police***

1 *Department facility located at 9 Veterans Memorial Parkway to be connected to the Town's*
2 *municipal water system in lieu of a separate irrigation well.*

3 **SECOND:** by Councilor Hatch

4 **VOTE:** 9-0-0

5
6 **e. Tuscan Village Tax Impact Report**

7 Manager Devine stated that he wanted to provide information on what Tuscan Village was
8 paying for taxes. They had heard for years from residents that the Tuscan Village was supposed
9 to lower their taxes. He wanted to compare the impact of Tuscan Village versus if the property
10 had remained as the racetrack. The value of the Tuscan Village parcels had increased by 14%
11 over the past four years. They paid about \$9.9 million in annual property taxes in 2025, which
12 was about 7.3% of the entire tax levy. Manager Devine presented a slide showing the tax revenue
13 which included the condos within the development. The numbers for Salem overall were
14 presented showing that Salem's total assessed value was around \$7 billion.

15
16 Councilor Bettencourt stated that he wanted to know if the \$9.9 million was the Town taxes or
17 the whole tax payment.

18
19 Manager Devine stated that it was the total tax figure. The 2025 tax rate in total was \$18.16
20 which would jump to \$19.73 if the Tuscan Village did not exist. A \$500,000 home would pay
21 \$675 more a year in property taxes. A slide breaking out the tax payments by Tuscan Village
22 parcel was presented next. The lowest parcel was at the bottom because the building was not
23 complete yet. The tax payments had grown from \$3.3 million in 2021 to \$9.9 million in 2025.
24 Manager Devine provided a recap of how the tax rate was calculated along with a breakdown of
25 the overall tax rate. The tax payment was broken out by portion showing that 32% of the tax
26 payment went to the Town and 56% went to the School District. Taxes were increasing because
27 there were forces pushing it up including the School District budget, inflation, and population
28 growth leading to more demand for services. The Tuscan Village expanded the tax base and
29 reduced the increase in the tax rate. Manager Devine presented a slide showing that the rate of
30 increase in the tax rate had slowed over the past four years. There were still more developments
31 coming at the Tuscan which would increase the tax base further. He further broke out what
32 services the Tuscan Village's Town tax payment went towards. The Tuscan Village paid the
33 School District \$5.4 million but only added \$750,000 to the School District costs. They were also
34 a net positive for Public Safety and Roads. The Tuscan Village had also paid \$10.3 million in
35 impact fees which had been used to improve intersections, offset the police station bonds, and
36 offset school expenses. The mixed-use development along Route 28 was a great location for it
37 and it helped the Town by having such a large development within a small area. The assessed
38 value of the Tuscan Village now was about ten times the assessment for the racetrack.

39
40 Councilor Bettencourt stated that the Tuscan question came up all the time when speaking with
41 residents. They needed to make this presentation as available as possible to residents. He stated
42 that promises that the Tuscan Village would lower people's taxes were made consistently
43 throughout the approval process by a lot of different people. People were not wrong to be asking
44 questions about the tax impact. This presentation put that information into an appropriate
45 context. His biggest takeaway was that the Tuscan had been beneficial, but the spending by areas
46 outside of the Council's control had outpaced that impact. People needed to be aware of that. His

1 question was about whether the \$675 was a net savings or a gross savings. He asked if it
2 included the cost of services and the impact fees.

3
4 Manager Devine stated that it was what taxes would look like if the racetrack was never
5 developed.

6
7 Councilor Bettencourt stated that it would be fascinating to see what the number would have
8 been based on the first proposal for the Tuscan versus what has actually been built. The plan
9 changed due to a number of factors including having a pandemic in the middle of it.

10
11 Manager Devine stated that they had a proposal but not assessed values so it was tough to dive
12 into the numbers from the original proposal. He had known values for what the racetrack was
13 assessed at previously and the current value of the Tuscan Village property. If Life Sciences had
14 come through, then it might have been more valuable than what ended up happening.

15
16 Councilor Withrow stated that the Tuscan Village was roughly two-thirds built out. They were
17 looking at roughly another \$4 million in tax revenues then.

18
19 Manager Devine stated that it depended on what type of building it was, but that figure worked
20 as a rough number.

21
22 Councilor Withrow asked if any large Town expenditures would be needed before the Tuscan
23 was fully built out. These would be expenditures due to the development.

24
25 Manager Devine answered that he was not aware of anything. The largest costs were staffing and
26 equipment. If they built a west side fire station, then that would result in more staffing being
27 needed. That was outside of the impacts from the Tuscan Village.

28
29 Councilor Hatch stated that he never heard the words from the Tuscan Village leadership that
30 they would lower taxes. He had heard them say that they would contribute to the tax base. People
31 got the perception from that language that it would lower their taxes. That was not what the
32 statement meant. Councilor Hatch stated that no one had ever said it would lower people's taxes.

33
34 Councilor Bettencourt stated that those words were said.

35
36 Councilor Hatch stated that he could not find them when he went looking for them.

37
38 Councilor Withrow stated that they may be referring to different sources for the comments.

39
40 Councilor Pelletier stated that he did not hear those words while he was serving on the Planning
41 Board. He looked at the business happening there. As long as the business continued to be
42 successful then the tax base would continue to growth.

43
44 Councilor Bettencourt stated that two former members of the Board of Selectmen made the
45 argument that the Tuscan would lower people's taxes repeatedly. If the statement was made that
46 it would widen the tax base, then there was a failure to explain to residents what that statement

1 meant. Residents who believed that the Tuscan Village would lower taxes were basing that belief
2 on what they heard. It needed to have been explained better to people what would happen. They
3 were upset because they were not seeing what they were told would happen.
4

5 Councilor Withrow stated that she never heard it from Mr. Faro or Mr. Gross about lowering
6 taxes, but she did hear it from the people that Councilor Bettencourt was referring to.
7

8 Councilor Sweeney stated that it should have been explained that this would blunt the tax
9 increase because increases were coming because there were new schools being built. The \$19.73
10 tax impact would not have captured the developments outside of the Tuscan that happened
11 because the Tuscan Village happened.
12

13 **f. Town Manager Update/Questions from the Council**

14 Manager Devine stated that he wanted to give a shout out to the Municipal Services Department
15 for doing a great job of installing the new kiosk at Hampshire Road. The Police Department was
16 fully staffed at seventy officers now. The July 6th Town Council Meeting will be held at the Old
17 Town Hall. There was a new budget page which broke down the tax rate and where the money
18 went.
19

20 Councilor Bettencourt stated that it might be a good idea to formalize the policy of having retired
21 K9 dogs be turned over to their handlers.
22

23 Manager Devine stated that they had an agreement that would be signed and the price was \$1
24 because the Town could not give away an asset.
25

26 Councilor Bettencourt stated that there was a bad accident over the weekend at the intersection
27 of North Main Street and Bluff Street. It might be worthwhile discussing what the Town had
28 done to address that intersection at a future meeting.
29

30 Chairman Bryant asked about an accident on Highland.
31

32 Manager Devine stated that he could get a report on that to the Council.
33

34 Councilor Pelletier asked about the Palmer School sign.
35

36 Manager Devine stated that they were working to repair the sign and put it back up.
37

38 Councilor Sweeney stated that he wanted to organize something for July 4th to celebrate the 250th
39 anniversary of the U.S. He was hoping to do it at the Field of Dreams.
40

41 **10. Old Business/Tabled and Pending**

42 **11. Upcoming Meetings**

- 44 • July 6, 2026
 - 45 • August 3, 2026
- 46

1 **ADJOURNMENT AT 8:39 P.M.**

2
3 **MOTION:** by Councilor Withrow

4 ***Move to adjourn at 8:39 PM.***

5 **SECOND:** by Councilor Sweeney

6 **VOTE:** 9-0-0

7 **The motion passed unanimously.**

8
9 Notes/minutes taken by: Jeremiah Lamson

10
11 Approved: Town Council

12
13 Date Approved: _____

**CONSENT AGENDA ITEMS - TOWN COUNCIL
MEETING OF JULY 6, 2026**

	<u>TYPE OF ITEM SIGNED</u>	<u>DATE SIGNED</u>	<u>SIGNATURE/VOTE</u>
1	Assessing - Supplemental Taxes - Oath and Warrant	06/26/26	DocuSign
2	Assessing - Abatement Request (53 E. Broadway) - Grant	06/28/26	DocuSign
3	Assessing - Abatement Request (155 N. Broadway) - Deny	06/28/26	DocuSign
4	Assessing - Abatement Request (11 Northeastern Blvd.) - Deny	06/28/26	DocuSign
5	Assessing - Abatement Request (9 Northeastern Blvd.) Deny	06/28/26	DocuSign
6	Assessing - Abatement Request (93 S. Broadway) - Deny	06/28/26	DocuSign
7	Assessing - Abatement Request (1 Mall Road) - Deny	06/28/26	DocuSign
8	Assessing - Abatement Request (379 S. Broadway) - Deny	06/28/26	DocuSign
9	Assessing - Abatement Request (465 S. Broadway) - Deny	06/28/26	DocuSign
10	Assessing - Abatement Request (447 S. Broadway) - Deny	06/28/26	DocuSign
11	Assessing - Abatement Request (S. Broadway) - Deny	06/28/26	DocuSign
12	Finance - Utility Manifest - May 2026	06/26/26	DocuSign
13	Donations: RSA 31:95(e) and RSA 31:95(b)		
14	<i>HS Dept. RSA 31:95(e)-Eight \$25. gift cards to Market Basket-Salem Womens Club</i>	07/06/26	Vote
15	<i>CS Dept. RSA 31:95(e)-Rubber Playground Mats at HHP-Friends of Salem Recreation (\$229 Value)</i>	07/06/26	Vote
16	<i>CS Dept. RSA 31:95(e)-Flowers for HHP-Salem Garden Club (\$2,500 value)</i>	07/06/26	Vote
17	<i>CS Dept. RSA 31:95(b)-Multiple donations totaling \$111</i>	07/06/26	Vote
18	<i>Police Dept. RSA 31:95(b)-\$500 for National Night Out - Rockland Trust</i>	07/06/26	Vote



TOWN OF SALEM, NEW HAMPSHIRE

33 GEREMONTY DRIVE, SALEM, NH 03079

(603) 890-2120 · FAX: (603) 890-2220

Item #: 08(a1)

Department: Finance

Prepared by: Nicole McGee

Town Council Meeting Date: 7/6/2026

STAFF REPORT

PURPOSE:

☐ Information Only ☐ Discussion ☒ Action Requested ☐ Public Hearing

BRIEF SUMMARY:

Authorize the fire pumper lease agreement and formally authorize the Town Manager to sign the lease agreement.

BACKGROUND:

At Town Meeting, voters approved Warrant Article 7 authorizing the Town to enter into a long-term lease/purchase agreement to obtain a new fire engine/pumper for the Salem Fire Department. At the recommendation of the Town's legal counsel, this resolution is being brought before the Town Council for formal authorization at a public meeting to ensure proper legal authority is established for the execution of the lease agreement.

BUDGET IMPACT:

☐ No budget impact ☒ Within approved budget ☐ New expenditure ☐ Grant-funded

ESTIMATED COST: \$243,607.34

FUNDING SOURCE: General Fund

RECOMMENDATION / ACTION REQUESTED: The Town Council is requested to approve the accompanying resolution formally authorizing the lease agreement with All American Investment Group, LLC and authorizing the Town Manager to execute the lease agreement and all related documentation.

ATTACHMENTS:

☐ Photos ☐ Contracts / Agreements ☐ Charts/Graphs ☐ Map
☒ Resolution ☐ Supplemental Reports ☐ Presentation ☐ Other



**TOWN OF SALEM, NEW HAMPSHIRE
By the Salem Town Council**

**Resolution #2026-13
By Request of the Finance Director**

WHEREAS: The Town Council is responsible for the fiscal stewardship of the Town; and

WHEREAS: The Town Council recognizes the value of structured financial review and public transparency; and

WHEREAS: The Salem Fire Department operates aging apparatus that has reached the end of its serviceable life and requires replacement to ensure the continued safety of the Town residents and firefighting personnel; and

WHEREAS: The voters of the Town of Salem, approved Warrant Article 7 authorizing the lease of a new fire engine-pumper and related equipment and;

WHEREAS: The lease agreement with All American Investment Group, LLC provides for a five (5) year term with a principal amount of \$1,109,538.00 and annual payments of \$243,607.34

NOW, THEREFORE, BE IT RESOLVED BY THE SALEM TOWN COUNCIL THAT:

The Salem Town Council hereby authorizes the lease agreement for a new fire engineer-pumper and related equipment as authorized by Warrant Article 7 with All American Investment Group, LLC and authorizes the Town Manager to execute the lease agreement and all other related documentation pertaining to the lease agreement.

SPONSORED BY CHAIR BRYANT BY REQUEST

First Reading: July 6, 2026

Second Reading: Waived

Approval: July 6, 2026

VOTING RECORD			
Date of Vote:	YES	NO	ABSTAIN
Councilor Bettencourt			
Councilor Stacey			
Councilor Hatch			
Councilor Pelletier			
Councilor Stramaglia			
Councilor Wright			
Secretary Withrow			
Vice-Chair Sweeney			
Chair Bryant			
Total Votes:			
Resolution: Does Does Not pass.			

Approved: _____
Robert Bryant, Chair Town Council

A True Copy Attest: _____
Nicole Morse, Town Clerk



TOWN OF SALEM, NEW HAMPSHIRE

33 GEREMONTY DRIVE, SALEM, NH 03079

(603) 890-2120 · FAX: (603) 890-2220

Item #: 09(a1)

Department: Community Development

Prepared by: Crayton Brubaker

Town Council Meeting Date: 7/6/2026

STAFF REPORT

PURPOSE:

☐ Information Only ☐ Discussion ☒ Action Requested ☐ Public Hearing

BRIEF SUMMARY:

The Commercial and Industrial Property Tax Exemption Program is being proposed with several updates following the first round of applications for the Program. These recommended updates help seek to clarify the process and balance the tax relief with the public benefits of the development,

BACKGROUND:

On June 3, 2024, the Salem Town Council unanimously (7-0) passed Resolution 2024-09 which adopted the Salem Commercial and Industrial Property Tax Exemption Program (the “Program”) as a new economic development program for the Town. The intent of the program is to provide incentives to businesses to build, rebuild, modernize, or enlarge within Salem. The program is applicable to local municipal and local school property taxes.

On November 18, 2024, the Salem Town Council unanimously (7-0) passed an amended Program that updated the defined uses, amended the tax relief period, and increased the number of public benefits needed to be eligible for exemption.

In 2026, the Town received three applications to date for this Program. Now that such applications have been reviewed, considered, and decided on, Town staff have further reviewed the Program to clarify and are recommending several amendments to better refine it to accomplish its objectives.

Several amendments to the Program are proposed as noted below:

- Added definitions of Applicant and Covenant and clarification of uses and structures;
- Defining the Qualified Area of Town to all non-residential districts (including commercial, industrial, or mixed-use districts) rather than the whole town;
- Additional clarification under the Tax Relief section, taken from Town of Derry’s Program;
- Revamping of the Public Benefits section (Section 8) to balance the tax relief with the public benefits and intent of the Program
 - Four (4) Mandatory Public Benefits must be achieved, summarized below:
 - Development consistent with Master Plan
 - Enhances economic vitality and increases the tax base
 - Prevents or eliminates blight
 - Increases commercial / industrial activity in Town
 - Two (2) of Eight (8) Additional Public Benefits must also be achieved, summarized below:
 - Promotes development or redevelopment of Depot Village, consistent with planning efforts
 - Promotes preservation and adaptive reuse by rehabilitating existing structures



TOWN OF SALEM, NEW HAMPSHIRE

33 GEREMONTY DRIVE, SALEM, NH 03079

(603) 890-2120 · FAX: (603) 890-2220

- Provides public open or recreational spaces on at least 10% of the gross area of the lot
- Expands or enhances off-site infrastructure which is not solely for the benefit of the subject property / lot
- Creates needed services not available or underprovided in Town
- Provides mixed-use building(s)
- Qualifying structure to be updated has been vacant for at least one (1) year
- Creates at least ten (10) full-time jobs
- Clarified Application Procedure (Section 10) and require Town Council decision on application prior to obtaining a building permit or beginning construction
- Includes Economic Development Committee (EDC) in the process which provides a recommendation of the application's approval or denial to the Town Council
- Adds an adopted / amended date list at the bottom of the program to track amendments

BUDGET IMPACT:

☒ No budget impact ☐ Within approved budget ☐ New expenditure ☐ Grant-funded

ESTIMATED COST: N/A

FUNDING SOURCE: N/A

RECOMMENDATION / ACTION REQUESTED:

Move that the Town Council approves the Resolution with proposed updates to the Salem Commercial and Industrial Property Tax Exemption Program as identified in the redlined Program document, updated application document, and outlined in the staff memo.

ATTACHMENTS:

☐ Photos ☐ Contracts / Agreements ☐ Charts/Graphs ☐ Map
☒ Resolution ☒ Supplemental Reports

w/ Attached:

- Resolution 2026-14 – Amending Salem Commercial and Industrial Property Tax Exemption Program
- Commercial and Industrial Property Tax Exemption Program – Redlined (July 2026)
- Updated Commercial and Industrial Property Tax Exemption Program Application

Salem Commercial and Industrial Property Tax Exemption Program

Section 1: Adoption of Program

1.1 Pursuant to the authority granted by RSA 72:27-a, RSA 72:81, and RSA 72:82, and such other relevant authority bestowed upon it as a political subdivision of the State of New Hampshire, the Town of Salem ("Salem" or the "Town") through its legislative body, the Salem Town Council ("Town Council"), adopts the Salem Commercial and Industrial Property Tax Exemption Program for application within the geographical limits set forth below.

Section 2: Short Title

2.1 Salem Commercial and Industrial Property Tax Exemption Program (the "Program").

Section 3: Enabling Statutes

3.1 NH RSAs 72:27-a, 72:81, and 72:82.

Section 4: Purpose; Declaration of Public Benefit

4.1 It is declared to be beneficial to the public interest to enhance Salem's commercial and industrial property tax base to attract, promote, and stimulate economic activity.

4.2 It is further declared to be beneficial to encourage the ~~development and~~ redevelopment of commercial and industrial properties in Salem to foster economic growth and smart development practices.

4.3 Short-term property tax relief and related covenants, as described in this ~~ordinance~~Program, provide a demonstrated public benefit by encouraging Additions, Renovations, Substantial Rehabilitation, or Replacement of Qualifying Structures~~new construction and use of Qualifying Structures, and replacement, substantial rehabilitation, and use of Qualifying Structures.~~

~~4.4 The Town Council determines that it is in the public interest to make the Program available town-wide for commercial and industrial uses.~~

Section 5: Tax Relief Authority

5.1 Salem, through the Town Council, hereby adopts RSA 72:80-83 in the manner specified under RSA 72:27-a and RSA 72:82. In addition, the Town may modify the incentive program to best suit the needs of the Town and its constituents.

Section 6: Definitions

6.1 Addition: Any new building project that enlarges or expands an existing Qualifying Structure, either vertically or horizontally, by at least 20% of the existing square footage.

6.2 Applicant: Owner of a Qualifying Structure who intends to do an Addition, Renovation, Substantial Rehabilitation, or Replacement of such Qualifying Structure, or authorized Agent, including a prospective purchaser and developer.

6.34 Assessed Value: The Assessed Value of the improvements ~~/and~~ structures as of April 1 of the tax year to which the exemption pertains, pursuant to RSA 72:83.

6.42 Commercial Uses: Retail, wholesale, and service uses, including: brewery; brew pub; commercial performing and fine arts schools and studios; conference center; golf course/country club; grocery store; hotel; medical office; professional childcare facility; professional office; restaurant; retail sales establishment; or any additional commercial use as determined to have a public benefit by the Town Council. A use which has obtained a variance from the Zoning Board of Adjustment shall not be considered a qualifying Commercial Use.

6.5 Covenant: A formal and legally binding agreement or contract such as a lease, or one of the clauses in an agreement of this kind.

6.63 Industrial Uses: Manufacturing, production, assembling, warehousing, or processing of goods or materials for sale or distribution, or research and development activities, including: bottling facility; equipment upfit (repair); industrial establishment; light industrial establishment; industrial repair garage; industrial supply; laboratory (medical/dental); laboratory ~~÷~~ research, experimental, testing; light industry; light manufacturing; printing; product assembly; publishing; research and development facility; warehouse; wood/metal craft; or any additional industrial use as determined to have a public benefit by the Town Council. A use which has obtained a variance from the Zoning Board of Adjustment shall not be considered a qualifying Industrial Use.

6.7: New Construction: The completion of a new building or structure on previously undeveloped or currently vacant land where buildings were removed more than two (2) years before the application date for Tax Relief.

6.84 Original Assessed Value: The value of the Qualifying Structure assessed at the time that the governing body approves the application for Tax Relief and the owner grants to the municipality the covenant to protect public benefit as required in this ~~ordinance~~Program.

6.95 Qualifying Area: The Qualifying Area ~~is The Town of Salem~~consists of all properties located in the following zoning districts: Commercial-Industrial District, Subdistricts A, B, and C; Industrial District; Business Office Districts, Subdistricts I and II; Limited Community Shopping Village; and Depot Overlay District.

6.106 Qualifying Structure: An existing structure located in the Qualifying Area proposed to be a part of an Addition, Renovation, Substantial Rehabilitation, or Replacement which will built, rebuilt, modernized, or enlarged to be used for Commercial or Industrial Uses as defined herein that are permitted in the underlying zoning district or applicable overlay districts~~as defined herein.~~

6.11 Renovation: An update, repair, or restoration of an existing Qualifying Structure to improve it's functionality, aesthetics, or value.

6.127 Replacement: The demolition or removal of a Qualifying Structure and the subsequent construction of a new structure on the same lot. The demolition or removal of the Qualifying

Structure must not have occurred greater than two (2) years prior to the application date for Tax Relief.

6.13 Substantial Rehabilitation: Significant physical exterior or interior improvements made to a Qualifying Structure that goes beyond cosmetic repairs and is at least 20% of the property's assessed value before the start of construction.

Section 7: Tax Relief

7.1 The Tax Relief Period is the finite period of five (5) years during which the Tax Relief, as described in this section, will be effective. The exemption shall be granted for municipal and local school property taxes assessed by the municipality, excluding state education property taxes under RSA 76:3 and county taxes assessed against the municipality under RSA 29:11.

7.2 Tax Relief shall be granted in the form of an exemption from taxation for commercial and industrial properties as follows:

- The exemption will not apply to the entirety of the property value, but only to any increase in assessment which results from the Additions, Renovations, Substantial Rehabilitation, or Replacement of Qualifying Structures~~new construction~~.
- The duration of the exemption shall be five (5) years.
- ~~• For purposes of this exemption, the term "new construction" shall mean new structures, or additions, renovations, or improvements to existing structure~~
- The percentage of authorized exemption for each type of project is as follows:

Table 1: Property Tax Exemption for Additions, Renovations, Substantial Rehabilitation, or Replacement of Qualifying Structures

Tax Year	Exemption on the i increase in Assessed Value
Year 1	50% of the increased assessment value as described above;
Year 2	40% of the increased assessment value as described above; i
Year 3	30% of the increased assessment value as described above;
Year 4	20% of the increased assessment value as described above;
Year 5	10% of the increased assessment value as described above.

Table 2: Property Tax Exemption for New Construction

<u>Tax Year</u>	<u>Exemption on the Increase in Assessed Value</u>
<u>Years 1-5</u>	<u>0% of the increased assessment value as described above;</u>

7.3 Applicants must demonstrate a public benefit as defined in Section 8 of this ~~ordinance~~ Program to qualify for Tax Relief.

7.4 Upon expiration of the Tax Relief Period, the property shall be taxed at its market value in accordance with RSA 75:1 at the date of April 1 of said year.

7.5 Tax Relief granted under this Program shall be calculated on the value in excess of the Original Assessed Value.

7.6 Tax Relief granted under this Program shall pertain only to assessment increases attributable to the Additions, Renovations, Substantial Rehabilitation, or Replacement of Qualifying Structures performed under the conditions approved by the governing body and not to those increases attributable to other factors, including but not limited to market forces, such as revaluation and/or periodic assessment updates.

Section 8: Public Benefits

8.1 In order to qualify for Tax Relief as set forth in section 7.2 above, the Additions, Renovations, Substantial Rehabilitation, or Replacement of Qualifying Structures~~proposed new construction or rehabilitation~~ must, in the reasonable discretion of the Town Council, provide ~~two~~ all of the Mandatory Public Benefits and two (2) or more of the Additional Public Benefits as identified in Section 8.2 and 8.3. The Town Council shall determine whether the Public Benefits identified by the Applicant provide a legitimate public benefit or interest that is proportional to the tax exemption being requested.~~or more of the following public benefits, and the proposed Replacement must provide two or more of the same public benefits to a greater degree than would a rehabilitation of the same Qualifying Structure, as follows:~~

8.2 Mandatory Public Benefits

- Proposed development is consistent with the vision espoused in the Townwide Master Plan, zoning regulations, and other applicable ordinances or planning efforts;
- Enhances economic vitality of the Town and increases the Town's tax base;
- Prevents or eliminates blight;
- Increases commercial / industrial activity in the Town;

8.3 Additional Public Benefits

- Promotes the development or redevelopment of the Depot Village, consistent with the Townwide Master Plan, 2011 Depot Intersection Redevelopment Concept Plan, and/or future planning efforts related to the Depot Village adopted by the Planning Board;
- Provides public open or recreational space, not including open water, wetlands or setbacks associated therewith, on at least 10% of the gross area of the lot, for at least the duration of the Tax Relief Period;
- Expands or enhances off-site infrastructure which is not solely for the benefit of the subject lot, including but not limited to water, sewer, sidewalk, or road improvements, as currently identified in town planning efforts, excluding applicable impact fee and Demand Benefit Assessment (DBA) contributions;
- ~~It enhances economic growth and increases the Town's tax base.~~
- Createsion of needed services or facilities not currently available, or underprovided, in Town with documentation demonstrating of such need;-
- Provides mixed-use building(s) with Commercial or Industrial Use(s) on at least one floor of the building and residential on at least one floor of the building;
- ~~Redevelop and revitalize commercial or industrial area.~~
- Qualifying Structure(s) proposed for Addition, Renovation, Substantial Rehabilitation, or Replacement has been vacant for at least one (1) year with documentation demonstrating such vacancy;
- Creates at least ten (10) full-time jobs
- ~~Prevent or eliminate blight.~~
- ~~Retain local jobs, increase the local job base, and/or provide diversity in the job base.~~

Section 9: Covenant to Protect Public Benefit

9.1 Tax Relief for the Addition, Renovation, Substantial Rehabilitation, or Replacement of Qualifying Structures ~~construction, rehabilitation, or replacement of a Qualifying Structure~~ shall be effective upon the property owner's grant to the municipality of a Ceovenant ensuring that the Qualifying Structure shall be maintained and used in a manner that continues the public benefit for which the Tax Relief was granted and as otherwise provided in this ~~ordinance~~Program.

9.2 This Ceovenant shall be released upon the expiration of the Tax Relief Period. The covenant shall include provisions requiring the property owner to obtain commercially reasonable casualty insurance, and flood insurance, if relevant. The Ceovenant may include, at the Town Council's sole discretion, a lien against proceeds from casualty and flood insurance claims for the purpose of ensuring proper restoration or demolition of damaged structures and property. If the property owner has not begun the process of restoration, rebuilding, or

demolition of such structure within one year following damage or destruction, the property owner shall be subject to the termination of the Tax Relief after notice and an opportunity to be heard.

9.3 The Town shall provide for the recording of the Covenant to protect public benefit with the registry of deeds. It shall be a burden upon the property and shall bind all transferees and assignees of such property for the duration of the Tax Relief Period, but shall thereafter expire without further effect.

9.4 If the terms of the Covenant are not met, the Property Tax Relief will be discontinued. Further, the Town will assess all taxes to the property owner as though no Tax Relief was granted, with interest, in accordance with the Program. The interest shall be collected at a rate of the Consumer Price Index for All Urban Consumers (CPI-U) in the Northeast Regions starting from the month of the original Covenant was recorded.

Section 10: Application Procedure

10.1 An owner (or authorized agent, including a prospective purchaser and developer) of a Qualifying Structure who intends to construct, rehabilitate, or replace such structure, may submit an application for the Tax Relief to the Community Development Office prior to construction, but not after December 31 before the beginning of the tax year for which the exemption is sought. This application will be reviewed by all necessary departments to include: Planning, Assessing, and Inspectional Services. 10.1 Applications for the Program shall be made available on the Town's website or may be obtained at Town Hall at the Community Development Office, upon request. An application may be submitted at any time throughout the year. An application MUST be submitted by December 31 before the beginning tax year for which the exemption is sought. For example, if an Applicant is applying for exemption beginning in tax year 2027, the latest an application could be submitted would be December 31, 2026.

10.2 Applications must be dropped off at the Community Development Office in Town Hall during regular business hours. Only complete applications that include all attachments and fees as identified on the application and/or in this Program shall be considered. Town staff shall decide the completeness of an application. If additional information is required, Town staff shall ask the Applicant to provide the appropriate subsequent material.

10.3 This application will be reviewed by all necessary departments to include: Assessing, Community Development, Inspectional Services, Planning, and Town Manager's Office.

10.4 Prior to sending the application to the Town Council, the Economic Development Committee shall review the full application and provide a recommendation to the Town Council as to whether the application should be approved or denied in accordance with Section 12.1. Additional review by other boards, committees, departments, or legal counsel may be necessary at the discretion of the Town Council.

10.5 Once Town staff determine the application is complete and review the application, and the Economic Development Committee provides a recommendation to the Town Council, the Town Council shall add an item to an upcoming agenda and shall set a public hearing for the application.

10.6 In order to be eligible to receive the tax exemption, the Applicant shall NOT obtain a building permit or begin any construction prior to the Town Council rendering a decision of the exemption application. If construction begins or a building permit is obtained prior to the Town Council making a determination, the exemption shall be deemed void.

10.7 Any Applicant or property owner with any outstanding, unremedied zoning violations is not eligible for this exemption.

~~10.2 The application for property tax exemption shall not be deemed complete, and the governing body shall not schedule a hearing on the application until all required information has been submitted.~~

Section 11: Application Fees

11.1 An application fee of \$150, or an amount subsequently adopted by the Town Council, whichever is greater, shall be paid at the time of application submission to the Community Development Office, made payable to the "Town of Salem."

11.2 The applicant shall also be responsible for the reasonable expenses incurred by the municipality in the drafting, review, execution, and recording of the covenant.

Section 12: Review and Decision by Town Officials

12.1 Upon receipt of a complete application, the Town Council shall consider the application in the normal course of business and notify the applicant of its decision no later than February 28 before the beginning of the tax year for which the exemption is sought, or within 90 days of receipt of the complete application. The Town Council shall determine:

- Whether the structure will be in the Qualifying Area.
- Whether the structure at issue is a Qualifying Structure.
- Whether ~~there are~~ required public benefits to granting the Tax Relief, as identified in Section 8, are met.

12.2 In determining the existence and extent of ~~a-the~~ public benefits identified in Section 8, the Town Council shall also identify the costs and detriments associated with the proposed development or project, and weigh such factors against any public benefits. Only if the public benefits is-are found to specifically outweigh any costs and detriments shall the Town Council grant the eExemption.

12.3 The Town Council may seek assistance from Town officials, legal counsel, boards, or commissions in making its determinations, and shall conduct a public hearing.

12.4 After following the procedures established herein, the Town Council may grant the Tax Relief, provided:

- The Town Council finds public benefits as defined herein.

- The specific public benefits are preserved through a covenant as set forth above.
- The Town Council finds that the proposed use is consistent with the applicable master plan, zoning ordinance, and / or development regulations.

12.5 If the Town Council grants the Tax Relief, it shall identify the specific public benefits achieved as defined herein.

12.6 The burden of demonstrating the public benefits shall be on the Applicant. The Town Council or its agents may request such additional or updated information as is necessary to determine eligibility. Should the Town in its discretion determine that third party review or consultation is required, the Applicant shall bear the associated cost. See RSA 72:83, III. If the Town Council determines that the Applicant provided incorrect or false information during the application process or failed to provide information after such a request, the Town Council may refuse to grant the exemption without further inquiry.

12.7 If the Town Council, in its sole discretion, denies the application for Tax Relief, such denial shall be accompanied by a written explanation. The governing body's decision may be appealed either to the Board of Tax and Land Appeals or the Superior Court in the same manner as provided for appeals of current use classification pursuant to RSA 72:83; provided, however, that such denial shall be deemed discretionary and shall not be set aside by the Board of Tax and Land Appeals or the Superior Court except for errors of law or abuse of discretion.

Section 13: Duration and Limitations of Property Tax Incentive Program

13.1 Pursuant to RSA 72:81, the exemption shall apply only to municipal and local school property taxes assessed by the municipality which shall exclude state education property taxes under RSA 76:3 and county taxes assessed against the municipality under RSA 29:11. The Tax Relief Period granted to any Applicant may not exceed the finite period of five (5) years.

13.2 If the municipality completes a revaluation during the period for which an exemption has been granted, the amount of the exemption shall be adjusted by the difference in equalization ratios applicable in the municipality before and after the revaluation.

13.3 Pursuant to RSA 72:82, II, this Program expires five (5) years after its initial adoption and should be reviewed every five (5) years, or sooner, for potential re-adoption of the Program, at the sole discretion of the Town Council. Any application approved under this Program prior to the expiration shall have their exemption continue to apply at the rate and for the duration in effect at the time it was granted.

Adopted by Salem Town Council, June 3, 2024

Amended by Salem Town Council November 18, 2024

Amended by Salem Town Council August 2026



TOWN OF SALEM, NEW HAMPSHIRE

33 GEREMONTY DRIVE, SALEM, NH 03079

Phone: (603) 890-2080 | Fax: (603) 890-2220 | www.salemnh.gov

Community Development Department

Application for Salem Commercial and Industrial

Property Tax Exemption Program (Pursuant to RSA 72:81)

***YOU MAY NOT OBTAIN A BUILDING PERMIT OR START CONSTRUCTION PRIOR TO THE TOWN COUNCIL RENDERING A DECISION ON THIS APPLICATION. IF YOU DO, THE APPLICATION AND ANY EXEMPTION WILL BE VOID. ***

Date: _____

Name of Business: _____

Applicant / Title: _____

Property Address: _____

Tax Map and Lot: _____

Property Owner Contact Phone and Email: _____

Applicant Contact Phone and Email: _____

Type of project to be completed: _____ Addition _____ Renovation _____ Replacement
_____ Substantial Rehabilitation

Estimated start date: _____

Estimated completion date: _____

Estimated total cost of project: _____

Provide a cover letter with a description of the work to be done. You may write a brief description in the below space.

Have you read the Salem Commercial and Industrial Property Tax Exemption Program in full and understand the eligibility needed to apply for the Program? _____ Yes _____ No

What Zoning District is your property in? _____
(Refer to Section 6.9 for Qualifying Area zoning districts)

Does your Qualifying Structure meet the Commercial Use or Industrial Use definition as defined in Section 6 and is it a permitted use in the zoning district? _____ Yes _____ No

Does your proposed project meet four (4) of the Mandatory Public Benefits and at least two (2) of the seven (7) Additional Public Benefits as defined in Section 8? _____ Yes _____ No

Provide the following attachments to your application:

- Narrative cover letter addressing the following information:
 - Is the structure in a Qualifying Area?
 - Is the structure a Qualifying Structure?
 - Identify how your project meets the four (4) Mandatory Public Benefits and at least two (2) of the seven (7) Additional Public Benefits. The full list of public benefits is provided below and are listed in the Program.
- Planning and Zoning Board materials & approvals (Site Plan, Narrative Letters, Decision Letter, Elevations, etc.), if available
- Building Plans
- Application Fee

As voted by the Salem Town Council, the exemption shall apply only to the municipal and local school property taxes assessed by the Town. State education and county taxes are excluded from the exemption.

The exemption applies to the increase in assessed value attributable to additions, renovations, substantial rehabilitation, or replacement of existing structures, as follows: The exemption applies to the percentage of increased assessed value as follows - 50% for year 1, 40% for the year 2, 30% for the year 3, 20% for the year 4, 10% for the year 5. Subsequent years will be assessed at the full rate. New construction projects, as defined in the Program, provide 0% tax relief.

As voted by the Salem Town Council, **to satisfy the public benefit requirement, four (4) Mandatory Public Benefits and a minimum of two (2) of seven (7) Additional Public Benefits listed below must be demonstrated.** Where applicable, provide an explanation of the anticipated outcomes of the project for the aforementioned Mandatory and Additional Public Benefits in a cover letter as outlined above.

Mandatory Public Benefits (must address / meet all four (4)):

1. Proposed development is consistent with the vision espoused in the Townwide Master Plan, zoning regulations, and other applicable ordinances or planning efforts;
2. Enhances economic vitality of the Town and increases the Town's tax base;
3. Prevents or eliminates blight;
4. Increases commercial / industrial activity in the Town;

Additional Public Benefits (must address / meet at least two (2) of seven (7)):

1. Promotes the development or redevelopment of the Depot Village, consistent with the Townwide Master Plan, 2011 Depot Intersection Redevelopment Concept Plan, and/or future planning efforts related to the Depot Village adopted by the Planning Board;
2. Provides public open or recreational space, not including open water, wetlands or setbacks associated therewith, on at least 10% of the gross area of the lot, for at least the duration of the Tax Relief Period;

3. Expands or enhances off-site infrastructure which is not solely for the benefit of the subject lot, including but not limited to water, sewer, sidewalk, or road improvements, as currently identified in town planning efforts, excluding applicable impact fee and Demand Benefit Assessment (DBA) contributions;
4. Creates needed services or facilities not currently available, or underprovided, in Town with documentation demonstrating of such need;
5. Provides mixed-use building(s) with Commercial or Industrial Use(s) on at least one floor of the building and residential on at least one floor of the building;
6. Qualifying Structure(s) proposed for Addition, Renovation, Substantial Rehabilitation, or Replacement has been vacant for at least one (1) year with documentation demonstrating such vacancy;
7. Creates at least ten (10) full-time jobs

I have read and understand the above conditions of this exemption. By signing below, I affirm that I am authorized to sign this application on behalf of the entity seeking this exemption.

Signature of Applicant: _____

Printed Name: _____

Title: _____

Date: _____

Office Use Only

Date Complete Application Received by Community Development: _____

Planning Director Review:

Memo Attached: _____ Yes _____ No

Assessor Review:

Memo Attached: _____ Yes _____ No

Economic Development Committee Recommendation: _____ Approval _____ Denial

Memo Attached: _____ Yes _____ No

Salem Town Council: _____ Approve _____ Deny

Decision Letter Sent: _____ Yes _____ No



**TOWN OF SALEM, NEW HAMPSHIRE
By the Salem Town Council**

Resolution #2026-14

**Amending the Salem Commercial and Industrial
Property Tax Exemption Program**

WHEREAS: At their June 3, 2024 meeting, the Salem Town Council created the Salem Commercial and Industrial Property Tax Exemption Program (the "Program") under Resolution 2024-09 pursuant to RSA 72:80-83; and

WHEREAS: The Town Council amended the Program on November 18, 2024 to update the defined uses, amend the tax relief period, and increase the number of public benefits needed for eligibility; and

WHEREAS: The Town seeks to further refine the Program to ensure clarity in the application process, focus the Program toward redevelopment, and further refine the balance of public benefits given in exchange for property tax relief; and,

NOW, THEREFORE, BE IT RESOLVED BY THE SALEM TOWN COUNCIL THAT:

The Salem Town Council hereby approves the proposed updates as identified in the redlined Program document, updated application, and outlined in the staff memo and further amends the Salem Commercial and Industrial Property Tax Exemption Program with the changes related thereto.

First Reading: July 6, 2026

Second Reading: August 3, 2026

Approval: August 3, 2026

VOTING RECORD			
Date of Vote:	YES	NO	ABSTAIN
Councilor Bettencourt			
Councilor Hatch			
Councilor Pelletier			
Councilor Stacey			
Councilor Stramaglia			
Councilor Wright			
Secretary Withrow			
Vice-Chair Sweeney			
Chair Bryant			
Total Votes:			
Resolution: Does Does Not pass.			

Approved: _____
Robert Bryant, Chair Town Council

A True Copy Attest: _____
Nicole Morse, Town Clerk



TOWN OF SALEM, NEW HAMPSHIRE

33 GEREMONTY DRIVE, SALEM, NH 03079

(603) 890-2120 · FAX: (603) 890-2220

Item #: 09(b1)

Department: Town Manager

Prepared by: Colleen Mailloux

Town Council Meeting Date: July 6, 2026

STAFF REPORT

PURPOSE:

☐ Information Only ☐ Discussion ☒ Action Requested ☒ Public Hearing

BRIEF SUMMARY:

The Transfer Station Study Committee has reviewed Chapter 409 of the Salem Municipal Code and recommended changes for consideration by the Town Council.

BACKGROUND:

In June 2005, the Transfer Station Study Committee was established with a mission to review the operations of the Transfer Station, identify areas for improvement and efficiency, and make recommendations to the Town Council.

As part of its work the Committee conducted a comprehensive review of Transfer Station operations, procedures, and regulations, including Municipal Code Chapter 409, to ensure alignment with current practices. A number of housekeeping changes were identified (changing “Board of Selectmen” to “Town Council”), along with minor amendments for clarity or for consistency with current practice.

The most substantive update recommended to the Municipal Code is the elimination of Section 409-4.B relating to small business owners (haulers). Previously, under this section, small businesses generating solid waste in Salem could bring waste to the transfer station, subject to the Schedule of Fees. The Town’s permit only allows the transfer station to accept waste that is generated in the Town of Salem. It is very challenging to monitor and enforce that the waste being disposed of from small businesses is waste that is generated in Salem. There are currently no small business haulers using the transfer station that will be impacted by this change.

BUDGET IMPACT:

☒ No budget impact ☐ Within approved budget ☐ New expenditure ☐ Grant-funded

ESTIMATED COST: N/A

FUNDING SOURCE: N/A

RECOMMENDATION / ACTION REQUESTED:

Move that the Salem Town Council amends Chapter 409, “Solid Waste,” of the Salem Municipal Code to incorporate the revisions as presented.

ATTACHMENTS:

☐ Photos ☐ Contracts / Agreements ☐ Charts/Graphs ☐ Map
☒ Resolution ☐ Supplemental Reports ☐ Presentation ☒ Other

Chapter 409
SOLID WASTE

ARTICLE I
Regulations for Transfer Station

		§ 409-6.	Stumps, brush, demolition materials, yard waste and metal.
§ 409-1.	Definitions.	§ 409-7.	Recycling.
§ 409-2.	Statutory authority; purpose.	§ 409-8.	Composting.
§ 409-3.	Permit procedure.	§ 409-9.	Regulatory authority and revocation of permit.
§ 409-4.	Fees.		
§ 409-5.	Transfer station refuse.	§ 409-10.	Violations and penalties.

[HISTORY: Adopted by the Town of Salem as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Hazardous materials — See Ch. 279.

Littering and dumping — See Ch. 318.

ARTICLE I

Regulations for Transfer Station

[Adopted by the Board of Selectmen 4-10-1989 (Ch. 302 of the 1995 Code); amended in its entirety at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

§ 409-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

COMMERCIAL VEHICLES — Vehicles primarily used for transportation of commercially generated solid waste or residential collections. Examples of such vehicles are compactor trucks, dump trucks or commercially registered delivery or service vehicles used by the owner to transport commercial solid waste.

LIGHT USE COMMERCIAL VEHICLES — The words "light use" refer to the expected number of times that the vehicles will be used to deliver commercially generated waste to the transfer station. Examples of such vehicles are a pickup truck with advertising on the exterior and whose owner uses the vehicle to take his personal residential trash to the landfill and whose business generates little, if any, commercial waste and large construction-type vehicles that predominantly deliver material to the wood dump.

RESIDENTIAL VEHICLES — Automobiles registered to residents of Salem, New Hampshire, and to those summer residents who own property and pay taxes.

§ 409-2. Statutory authority; purpose.

- A. These regulations have been adopted by the ~~Board of Selectmen~~Town Council pursuant to the authority granted the ~~Board-Council~~ by RSA 149-M:17, II.
- B. The Town of Salem transfer station is operated and maintained in accordance with RSA 149-M:17 solely for the disposal of authorized residential solid waste and recyclables generated within the geographical boundaries of the Town. These regulations are intended to:
 - (1) Prevent the unauthorized entrance to and use of the transfer station;
 - (2) Prohibit the deposit of illegal and/or unacceptable waste;
 - (3) Control the deposit of authorized solid waste to facilitate compliance with operating standards, improve efficiency and productivity, encourage recycling and reuse of our resources and to maximize the life of the transfer station; and
 - (4) Establish equitable fees to be assessed against those who use the transfer station.

§ 409-3. Permit procedure.

It shall be unlawful to deposit waste at the Salem transfer station without having first obtained from the Town of Salem a permit for such activity. The permit shall be in the form of a license issued by the ~~Board of Selectmen~~Town Council of the Town or its designee.

- A. All permits shall expire ~~on December 31 of the year during which the permit was issued the September 30th immediately following the date on which the permit was issued.~~
- B. All permits shall be nontransferable.
- C. Permits must be prominently displayed and affixed in the ~~lower-upper~~ left-hand corner of the windshield on the driver's side of vehicles bearing waste to be deposited at the transfer station.

Formatted: Superscript

§ 409-4. Fees.

The following fees are designed to defray some of the expense incurred by the Town in administering the transfer station:

- A. Salem residents must pay a fee as set out in the Town of Salem Schedule of Fees for each vehicle which is to be used to carry waste to the transfer station. Residents of the Town who are 65 years or older and/or residents who are 100% disabled shall be exempted from the fee. There shall be a fee for video display devices as set out in the Town of Salem Schedule of Fees. For the purpose of this article, "video display device" means a visual display component of a television or a computer, whether separate or integrated with a computer central processing unit/box, and includes a cathode ray tube, liquid crystal display, gas plasma, digital light processing or other image projection technology, greater than four inches when measured diagonally, and its case, interiors wires, and circuitry.

~~B. Small business owners (haulers) generating solid waste in the Town of Salem may bring said solid waste to the transfer station and shall pay the fees as set forth in the Town of Salem Schedule of Fees.~~

~~C.B.~~ Residential trash haulers shall be charged according to the Town of Salem Schedule of Fees, as adopted by the ~~Board of Selectmen~~ Town Council.

- (1) Billing will be on a monthly basis and will be based upon weight records compiled by the Town.
- (2) All residential trash haulers delivering waste under this section and according to the schedule set forth above must deliver loads which consist entirely of residential trash or recyclables generated by residences located within the Town of Salem. Any part of a load which is delivered under a residential trash hauler permit and which is found to contain trash generated by commercial establishments or trash generated by residences outside the Town of Salem will subject the holder of the permit to the revocation of permit procedures set forth in § 409-9 below.

~~D.C.~~ Commercial trash haulers hauling solid waste generated by a commercial establishment within the Town of Salem shall bring said waste directly to the designated private facility.

~~E.D.~~ All persons applying for a permit must present vehicle registration with payment tendered for the permit, and the permit shall only be displayed on the vehicle for which the registration was presented. Permits may be obtained and payments must be made at the Tax Collector's office located at the Town Hall, Geremonty Drive, Salem, New Hampshire, during normal business hours.

~~F.E.~~ The Director of Public Works may refuse to accept waste generated from commercial undertakings of either a temporary or permanent nature by posting and publishing a notice of tonnage limitation.

~~G.F.~~ The fees set forth above may be adjusted for inflation on an annual basis by the Town of Salem ~~Board of Selectmen~~ Town Council.

§ 409-5. Transfer station refuse.

- A. Unacceptable waste. Materials which will not be accepted shall include, but not be limited to, the following: commercial waste, pesticides, insecticides, chemicals (when not normally in household waste), pathological and biological waste, radioactive materials, oil sludges, hazardous refuse of any kind or other substances which are now or are hereafter considered harmful, inflammable, hazardous or toxic or which would otherwise not normally be allowed under Environmental Protection Agency regulations or which would be likely to pose a threat to health or safety or which may cause damage to or adversely affect the operation of the Salem transfer station.

- B. Hazardous waste or materials which the Town considers to be detrimental to the operation of the transfer station or which require special handling or disposal procedures will not be accepted. The term "hazardous waste" means:
- (1) A solid, semisolid, liquid or contained gaseous waste, or any combination of these wastes, which, because of either quantity, concentration, or physical, chemical or infectious characteristics, may:
 - (a) Cause or contribute to an increase in mortality or an increase in irreversible or incapacitating reversible illness; or
 - (b) Pose a present or potential threat to humans or the environment when improperly treated, stored, transported, or disposed of or otherwise mismanaged; or
 - (2) Any material which has been identified as hazardous waste by the Bureau of Solid Waste Management of the State of New Hampshire using the criteria established under RSA 147-A:3, I, or as listed under RSA 147-A:3, II. Such wastes include, but are not limited to, those which are reactive, toxic, corrosive, ignitable, irritants, or strong sensitizers or which generate pressure through decomposition, heat, or other means. Such wastes do not include radioactive substances that are regulated by the Atomic Energy Act of 1954, as amended.
- C. Tires will not be accepted.

§ 409-6. Stumps, brush, demolition materials, yard waste and metal.

- A. General restrictions.
- (1) Stumps will not be accepted at the transfer station, and persons carrying stumps will be directed to a facility which has agreed with the Town to take the stumps, subject to the regulations and fees established by that facility.
 - (2) Bulky metals and/or vehicles having a net legal load limit of one ton will not be accepted. Metals must be taken directly to a commercial scrap dealer.
 - (3) Logs greater than four inches in diameter or four feet in length may not be deposited.
 - (4) Lumber and other demolition materials (i.e., footers and wood sheathing with asphalt shingles attached) are not accepted.
 - (5) Appliances containing Freon will be placed in a separate pile from bulk metal.
- B. Commercial.
- (1) No commercial and/or business use of the brush area is allowed.
 - (2) A small business owner (hauler) who is a resident and has a small business permit to use the transfer station for trash will need a separate residential permit to use the brush area for residential use. Any such double permit holder found to be bringing in demo and/or brush to the site from any commercial enterprise or any source other than his Salem residence will risk losing both permits under the provisions of this article.
- C. Residential.
- (1) Permit required.

- (a) The residential permit may be purchased at Town Hall.
- (b) Three pre-numbered bulky coupons are included with a residential permit.
- (2) Bulky coupons.
 - (a) Only three bulky coupons per household/residence per year are allowed; not issued per residential permit or per vehicle.
 - (b) To be used ~~to bring to the brush area for~~ any residential furniture, mattresses and box springs.
 - (c) Bulky coupons are not necessary to bring in residential yard waste and brush.
 - (d) Bulky coupons shall be used with a vehicle no larger than a pickup truck or household-size trailer.
 - (e) Bulky coupons are not transferable and shall be completely filled out prior to acceptance.
 - (f) The use of a bulky coupon is not necessary for the disposal of metal and appliances.

§ 409-7. Recycling.

- A. Any items or materials that the ~~Board of Selectmen~~Town Council or its designee has designated as recyclables must be separated from normal household trash by users of the transfer station. Items designated as recyclables may change or new recyclables may be added. Users of the transfer station will be made aware of changes and must conform to such changes.
- B. Recyclables must be cleaned and deposited by the users of the transfer station in specified areas. No other items or materials shall be placed in these specified areas.
- C. Failure to recycle will result in revocation of the violator's permit.

§ 409-8. Composting.

Any items or materials that the ~~Board of Selectmen~~Town Council or its designee has designated for reuse as fertilizer or landscaping materials must be placed by the users of the transfer station in specified areas. No other materials shall be placed in these specified areas. Separation of leaves from other yard waste is required when composting. Additionally, leaves must be removed from bags.

§ 409-9. Regulatory authority and revocation of permit.

- A. Regulations. The Department of Public Works is hereby authorized to promulgate additional regulations, subject to the approval of the ~~Board of Selectmen~~Town Council, which may include but are not limited to the following subjects:
 - (1) Separation of solid wastes and other materials.
 - (2) Inspection procedure.
 - (3) Hours of operation.
- B. Revocation of permit.
 - (1) The Scalehouse Operator will recommend revocation of the permit of any holder when he makes a written finding to the Director of Public Works that the holder of the permit or his agent has

violated any provisions of these regulations or any regulations promulgated hereunder. Upon review of the Scalehouse Operator's recommendation and written findings, and if in agreement with said recommendation, the Director of Public Works will provide written notice of the revocation to the holder of the permit by certified mail. Any person provided with such a notice of revocation may request a hearing before the Town Manager within 15 days of the receipt of such notice. The Town Manager will affirm or reverse the action of the Scalehouse Operator. The revocation of the permit will be stayed during the pendency of the appeal. Appeals from the decision of the Town Manager may be taken directly to court.

- (2) The penalty for the first offense under this section shall be revocation of permit for a period of six months. The penalty for a second offense shall be revocation for a period of 12 months. The penalty for a third offense shall be permanent revocation of permit. The revocation of a permit pursuant to this section prohibits the previous holder of that permit from depositing any material at the Salem transfer station.

- C. Damages. Any person who deposits unacceptable waste as that term is defined in § 409-5 above shall be responsible for the removal of all unacceptable waste and shall fully indemnify the Town of Salem from any damages resulting from the deposit of unacceptable waste at the Salem transfer station. All persons depositing unacceptable waste shall be prosecuted to the full extent provided by law.

§ 409-10. Violations and penalties.

Fines for violation of the provisions of this article, as adopted by the ~~Board of Selectmen~~Town Council, are on file with the Town Manager and on the Town of Salem website. Pursuant to RSA 149-M:17, II(b), the Town is authorized to levy a civil penalty of up to \$3,000 for each act which violates this article, notwithstanding RSA 31:39, III.



**TOWN OF SALEM, NEW HAMPSHIRE
By the Salem Town Council**

Resolution #2026-15

To Amend Salem Municipal Code Chapter 409 – Solid Waste

WHEREAS the Salem Town Council is responsible for adopting and amending town ordinances; and

WHEREAS the Transfer Station Study Committee has reviewed and recommended changes to Section 409 of the Salem Municipal Code for consistency with current practice and to improve clarity on operational regulations at the Transfer Station;

NOW, THEREFORE, BE IT RESOLVED BY THE SALEM TOWN COUNCIL THAT the Salem Town Council hereby amends Chapter 409, "Solid Waste," of the Salem Municipal Code to incorporate the revisions as presented.

<i>First Reading:</i>	<i>July 6, 2026</i>
<i>Second Reading:</i>	<i>August 3, 2026</i>
<i>Approval:</i>	<i>August 3, 2026</i>

VOTING RECORD			
Date of Vote:	YES	NO	ABSTAIN
Councilor Bettencourt			
Councilor Hatch			
Councilor Pelletier			
Councilor Stacey			
Councilor Stramaglia			
Councilor Wright			
Secretary Withrow			
Vice-Chair Sweeney			
Chair Bryant			
Total Votes:			
Resolution: Does Does Not pass.			

Approved: _____
Robert Bryant, Chair Town Council

A True Copy Attest: _____
Nicole Morse, Town Clerk



TOWN OF SALEM, NEW HAMPSHIRE

33 GEREMONTY DRIVE, SALEM, NH 03079

(603) 890-2120 · FAX: (603) 890-2220

Item #: 10(a)

Department: Community Development (Conservation Commission)

Prepared by: Crayton Brubaker

Town Council Meeting Date: 7/6/26

STAFF REPORT

PURPOSE:

☐ Information Only ☐ Discussion ☒ Action Requested ☐ Public Hearing

BRIEF SUMMARY:

This is for a request that the Council accept a donation from Ed Hawkins into the Conservation Fund. Mr. Hawkins typically donates annually to the Conservation Commission.

BACKGROUND:

On June 29, 2026, the Conservation Commission received a \$2,000 donation from Mr. Edward Hawkins. Mr. Hawkins typically makes a generous donation to the Conservation Fund each year. The Conservation Commission requests that the Town Council accept the donation and deposit it into the Conservation Fund.

BUDGET IMPACT:

☒ No budget impact ☐ Within approved budget ☐ New expenditure ☐ Grant-funded

ESTIMATED COST: N/A

FUNDING SOURCE: N/A

RECOMMENDATION / ACTION REQUESTED:

Move in accordance with RSA 36-A:4 that the Town Council authorizes, with gratitude, the Conservation Commission to accept a donation of \$2,000.00 from Edward Hawkins with such donation being deposited into the Conservation Fund.

ATTACHMENTS:

☐ Photos ☐ Contracts / Agreements ☐ Charts/Graphs ☐ Map
☐ Resolution ☐ Supplemental Reports ☐ Presentation ☐ Other



TOWN OF SALEM, NEW HAMPSHIRE

33 GEREMONTY DRIVE, SALEM, NH 03079

(603) 890-2120 · FAX: (603) 890-2220

Item #: 10(b1)

Department: Planning **Prepared by:** Jacob LaFontaine, Planning Director

Town Council Meeting Date: 7/6/2026

STAFF REPORT

PURPOSE:

☒ Information Only ☐ Discussion ☐ Action Requested ☐ Public Hearing

BRIEF SUMMARY:

The Historic District Commission has recently adopted updates to their Rules of Procedure (Bylaws) and are currently drafting Design Guidelines, which are anticipated to be adopted in July 2026.

BACKGROUND:

The HDC was previously operating under a decades old document, updating their Rules of Procedure was established as their principal SMART Goal.

BUDGET IMPACT:

☒ No budget impact ☐ Within approved budget ☐ New expenditure ☐ Grant-funded

ESTIMATED COST: n/a

FUNDING SOURCE: n/a

RECOMMENDATION / ACTION REQUESTED: informational purposes only.

ATTACHMENTS:

☐ Photos ☐ Contracts / Agreements ☐ Charts/Graphs ☐ Map
☐ Resolution ☒ Supplemental Reports



Town of Salem, New Hampshire

Community Development Department

Planning Division

33 Geremonty Drive, Salem, New Hampshire 03079

(603) 890-2080 - Fax (603) 898-1223

e-mail: jlafontaine@salemnh.gov

To: Town Council

From: Jacob LaFontaine, Planning Director

RE: HDC Bylaws and Design Guidelines

Date: 7/1/2026

Recommendation: There is no action required; presentation is to provide a status update on the Historic District Commission's Rules of Procedures (adopted 5/13/26) and proposed Design Guidelines anticipated to be adopted in July 2026.

Background: On May 13th the Historic District Commission adopted a comprehensive update to their Rules of Procedure (Bylaws) for the first time since 1965. Prior to this update, the Commission had been operating under the original one-page document for over six decades. The Commission had previously determined that this document lacked the nuance, legalese, and technical details to guide contemporary projects and this bylaw update was selected as the Commission's principal SMART Goal.

Notable amendments to the Rules of Procedure include: adding necessary references to State law and the Town's Code of Ethics; increasing membership from six (6) members to seven (7) members and adding two (2) alternate positions to assist with quorum concerns; establishment of an application procedure; establishment of Review Criteria including - activities requiring approval, exempt project categories, modifications to plans, etc.; and establishment of the following sections - Authority, Forms and Fees, Public Notice, Public Hearings, Site Visits, Standards of Conduct, and Amendments.

The Commission has also drafted Design Guidelines to assist property owners, applicants, architects, contractors, and the general public in understanding the standards and criteria applied by the Commission when reviewing applications. The Guidelines are intended to make the review process transparent, predictable, and accessible to all and include various sections such as – General Design Principles, Architectural Elements, Additions and New Construction, Site Features, etc. The Commission anticipates adopting these Guidelines in July 2026.



HISTORIC DISTRICT COMMISSION TOWN OF SALEM, NEW HAMPSHIRE RULES OF PROCEDURE

Article 1 – AUTHORITY

1.1 These rules of procedure are adopted under the authority of New Hampshire Revised Statutes Annotated (RSA), [674:46](#), [673](#) and [map](#) of the town of Salem, New Hampshire. The Historic District Commission shall exercise jurisdiction over the Historic District as delineated on the official Historic District Map. Established in 1965, as amended May 13, 2026.

1.2 Powers and Duties; the Commission shall:

- a. Adopt and amend Historic District Regulations.
- b. Review applications for construction, alteration, repair, relocation, and demolition or use of structures within the Historic District.
- c. Consult with municipal boards, historical organizations, and experts.
- d. Accept and expend gifts, grants, or contributions per [RSA 673:16](#).
- e. Establish and publish review standards and guidelines.
- f. Approve or disapprove applications under [RSA 674:46-a](#).
- g. Maintain an inventory of Historic District properties.
- h. Recommend amendments to these Regulations and District boundaries.

Article 2 – PURPOSE

- 2.1** Safeguard the heritage of Salem by protecting structures and areas of historical, cultural, architectural, and civic significance.
- 2.2** Enhance the visual character of the municipality through ensuring new construction within the Historic District is compatible with established architectural traditions.
- 2.3** Foster public appreciation and civic pride in Salem's historic assets.
- 2.4** Strengthen the local economy by preserving and enhancing community appeal.
- 2.5** Conserve property values through thoughtful stewardship of historic resources.

Article 3 – MEMBERS

- 3.1** The Historic District Commission (HDC) shall consist of seven (7) regular members. The Town Council shall appoint seven (7) regular members, and one Commission member shall be a Town Councilor designated as an ex-officio member with power to vote.
- 3.2** The Town Council may appoint two alternate members. Alternates should attend all meetings to familiarize themselves with the workings of the Commission and be ready to serve whenever a regular member is unable to fulfill their responsibilities.

- 1
- 2 **3.3** Terms of office for members and alternates will commence on April 1st and end on March 31st.
- 3 Each term shall run for three years provided, however, that the term may continue until the
- 4 appointment of successor Commission members. Terms shall be staggered to avoid concurrent
- 5 expirations.
- 6
- 7 **3.4** Each appointed (including re-elected or re-appointed) member shall be sworn in and take an oath
- 8 of office as required by [RSA 42:1](#).
- 9
- 10 **3.5** The HDC agent shall forward the appointment and expiration dates of the terms of each
- 11 Commission member to the Town Clerk.
- 12
- 13 **3.6** All members must be residents of Salem, New Hampshire and demonstrate a commitment to the
- 14 objectives of these Regulations.
- 15
- 16 **3.7** Unless there are extenuating circumstances or prior approval from the Chair, any regular member
- 17 who is absent for three (3) consecutive meetings or greater than fifty (50) percent of meetings in a
- 18 calendar year shall be recommended by the Chair to the Town Council for removal from the
- 19 Commission. Per [RSA 673:13](#) and the [Town Charter](#), the Town Council may remove a regular or
- 20 alternate member upon written findings of inefficiency, neglect of duty, or malfeasance in office,
- 21 after a public hearing.
- 22

23 **Article 4 – OFFICERS AND AGENT**

24

- 25 **4.1** Officers. HDC officers shall be elected annually, at the first regular meeting following the annual
- 26 Town Meeting election, by a majority vote of the Commission. Officers of the HDC shall be as
- 27 follows:
- 28
- 29 a. A Chair who shall preside over all meetings and hearings, affix his/her signature in the name
- 30 of the Commission, prepare an annual report, and perform other duties customary to the
- 31 office. The Chair shall be responsible for the conduct and decorum of the meeting. The Chair
- 32 shall have the responsibility to ensure that all parties receive a full and fair hearing before
- 33 the HDC. The Chair shall enforce the rules herein and applicable State laws.
- 34
- 35 b. A Vice-Chair who shall preside in the absence or at the request of the Chair; and who shall
- 36 have the full powers of the Chair on matters which come before the Commission while so
- 37 presiding.
- 38
- 39 c. A Secretary who shall maintain a record of all meetings, site visits, transactions, meeting
- 40 minutes, and decisions of the HDC, and perform such other duties as the Commission may
- 41 direct by resolution.
- 42
- 43 **4.2** Agent. The Town Manager shall designate a Town employee as agent for the HDC.
- 44
- 45 a. The Agent shall be responsible for providing applicants with application forms, and providing
- 46 each Commission member with information before each meeting. The information
- 47 distributed shall include a PDF of the meeting agenda, electronic copies of application forms
- 48 for each item on the agenda, and other information that the Commission may request or the
- 49 Agent may deem to be necessary.
- 50
- 51 b. The Agent shall set agendas, issue notices of all meetings, record the names of the members
- 52 present, notify applicants of hearings, and prepare such correspondence and fulfill such
- 53 duties as the Commission may specify.
- 54

- c. The Agent may sign correspondence, applications, memos, and plans on behalf of the Commission.

Article 5 – MEETINGS

- 5.1** A “Meeting” is defined as the convening of a quorum of the HDC to discuss or act upon a matter over which the HDC has supervision, control, jurisdiction, or advisory power. Meetings include gatherings such as regular and special meetings, public hearings, site-visits, and workshops.
- 5.2** Regular meetings will be held on the third Tuesday of April and October at Salem Old Town Hall or a location as designated, commencing at 5:00 PM. The HDC may vote to set other dates, places, or starting times for a particular meeting.
- 5.3** Special meetings may be called by the Chair or in their absence the Vice Chair or at the request of four Commission members, provided public notice and notice to each member is given at least forty-eight (48) hours in advance of the time of such meeting. The notice shall specify the purpose of the meeting.
- 5.4** Regular or special meetings of the Commission may be recessed to a time and place certain as a continuation of said meeting without further notice.
- 5.5** All meetings of the Commission shall be held in accordance with [RSA 91-A:2](#) and [RSA 91-A:3](#) as exists or may be amended, relating to meetings open to the public and nonpublic sessions.
- 5.6** Quorum: For all meetings, a quorum shall be four members, including alternates sitting in place of regular members.
- a. If a quorum of four members is not present, no cases will be heard.
- b. If there are less than five members (including alternates) present, the Chair shall give the applicant an option to proceed, or not. The applicant’s decision to proceed with less than five members present does not solely constitute grounds for a rehearing should the application fail.
- 5.7** Alternates: If any regular member is late for, or absent from a meeting or hearing, or disqualifies her/himself from sitting on a particular case, the Chair shall designate one of the alternate members to sit in place of the late, absent, or disqualified member. Such alternate shall be in all respects a full member of the Commission while so sitting.
- 5.8** Disqualification: [RSA 673:14](#) stipulates that any member who has a direct personal or pecuniary interest in the outcome of a case must disqualify her/himself. A member must step down if she/he would be disqualified for any cause to act as a juror if the matter were to go to trial. Juror standards, listed in [RSA 500-A:12](#), specify a person may not be a juror if she/he expects to gain or lose upon disposition of a case, is related to either party, has advised or assisted either party, has directly or indirectly given an opinion or formed an opinion, is employed by or employs any party in the case, or does not appear to be indifferent. Further, a member who is an abutter should disqualify her/himself. Please refer to [the Code of the Town of Salem, Chapter 33, Article I Code of Ethics for Boards, Committees and Commissions](#).
- a. If any member finds it necessary to be disqualified from sitting on a particular case as provided in [RSA 673:14](#), she/he shall notify the Chair and agent as soon as possible so that an alternate may be requested to fill the place.

- b. The disqualification shall be announced by either the Chair or the member before the discussion or the public hearing on the application begins. The disqualified member shall leave the table during all deliberations and the public hearing on the matter.
- c. If uncertainty arises as to whether a Member should be disqualified, the HDC shall, upon request of that member, another member of the Commission, or a member of the public, vote on the question of whether that member should be disqualified. Any such request or vote shall be made prior to or at the commencement of any required public hearing. Such vote shall be advisory and non-binding.

5.9 The Order of Business for meetings (unless modified by the Chair) is:

- a. Call to order
- b. Roll call/Introductions
- c. Continued Hearings
- d. New Business
- e. Adoption of minutes for prior meetings
- f. Other business or communications
- h. Adjournment

5.10 Voting: Action on any item shall be taken on the basis of a motion, duly seconded, made by any member of the HDC other than the Chair.

- a. A majority affirmative vote is necessary to decide any matter before the Commission. Sitting members present are counted to determine whether a quorum exists, even though they abstain from voting affirmatively or negatively.
- b. Should a motion result in a tie vote the application shall be continued to the next meeting where the Commission will continue deliberations and the Chair may appoint alternates to sit if such is necessary. Members abstaining shall not be considered "members voting" in determining whether a question has been adopted.
- c. Absentee votes by any method, including a letter or e-mail to the Commission, are not allowed.
- d. When a meeting includes at least one member participating by telephone or other electronic means, all votes taken during such meeting shall be by roll call vote per [RSA 91-A:2,III,e](#)

Article 6 – APPLICATIONS

6.1 Applications for hearings before the HDC shall be made on forms provided by the Commission and shall be presented to the HDC agent, who shall sign and record the date of receipt.

6.2 Applications shall include a narrative description, a site plan or sketch plan as required by the Commission, and may include supplemental materials such as photographs, material samples and any additional information reasonably required by the Commission.

6.3 For consideration at a scheduled meeting of the Commission, the application must be filed with the HDC agent at least seven (7) days prior to the date of the meeting, along with all required supplemental information.

6.4 The HDC shall reject all applications not substantially complete.

1 **Article 7 – FORMS and FEES**

2
3 **7.1** All forms prescribed herein and revisions thereof shall be adopted by the Commission and shall
4 become part of these Rules of Procedure.

5
6 **7.2** Any fees are required as listed in the Town’s Fee Schedule approved and published by the Town
7 Council.

8
9 **Article 8 – PUBLIC NOTICE**

10
11 **8.1** Notice of Commission meetings shall be provided in accordance with [RSA 91-A](#) and the Historic
12 District Commission Regulations or as otherwise required by applicable law.

13
14 **8.2** Public notice of the date, time, and place of each meeting shall be posted in two appropriate places,
15 one of which is the Town’s website, at least 24 hours excluding Sunday and legal holidays, prior to
16 such meeting.

17
18 **8.3** Public notices will include the agenda summary for that meeting. Notice for public meetings or public
19 hearings, on topics other than NHDES applications, shall contain a summary of the topic together
20 with the notation that the full text is available upon request.

21
22 **Article 9 – PUBLIC HEARING**

23
24 **9.1** The Chair shall enforce such order and decorum as may be necessary for the sufficient conduct of
25 the Commission’s business, guided by a desire to maximize public input on matters before the
26 Commission. Further, the Chair shall establish such rules of parliamentary procedure as are
27 necessary, subject to the provision that the Chair may be overruled by a majority vote of the
28 Commission.

29
30 **9.2** The conduct of public hearings shall be governed by the following rules:

- 31
32 a. The Chair shall identify the case, the owner of record, applicant or authorized agent, property
33 location and any other pertinent details of the application.
34
35 b. The property owner, applicant or authorized agent shall be asked to present the proposal, after
36 which the HDC agent will report on the proposal.
37
38 c. Members of the Commission may ask questions at any point during the presentation at the
39 discretion of the Chair.
40
41 d. Any party to the matter who desires to ask a question of another party must do so through the
42 Chair.
43
44 e. Following the public presentation, the Chair shall ask if there are any questions or comments
45 from the public. Any applicant, abutter, or any person who is able to demonstrate that their land
46 will be directly affected by the proposal under consideration may testify in person or in writing.
47 Other persons may testify as permitted by the Chair at each hearing
48
49 f. Each person who speaks shall be required to state their name and address for the record and
50 indicate if their a party to the matter or an agent or counsel to the matter.
51

- g. Other parties such as representatives of town departments and other town boards and commissions who have an interest in the proposal shall be allowed to present their comments in person or in writing.
- h. The Chair shall indicate whether the hearing is closed or adjourned pending the submission of additional material or information or the correction of noted deficiencies. If adjourned, further notice of the public hearing is not required, as long as the motion to adjourn contained the date, time and place of the continued hearing.
- i. After closing a public hearing, the Chair shall entertain a motion for continuance, approval, conditional approval or denial of the application which shall include findings of fact in support of the motion. The Chair shall call for a vote. A majority vote shall carry the motion.

Article 10 – REVIEW

10.1 Review Criteria: When reviewing an application the Commission shall consider:

- a. The historical, architectural, or cultural value of the subject building(s), structure(s), or landscape(s), and their relationship and contribution to the surrounding area.
- b. The compatibility of the exterior design, arrangement of elements, texture, colors and materials proposed to be used in relationship to the existing buildings or structures and their settings.
- c. The scale and general size of new construction in relation to the existing surroundings with consideration of factors such as height, width, street frontage, setback, number of stories, roof type, facade openings, windows, doorways, and architectural detail.
- d. Other factors, including yards, off street parking, screening, fencing, entrance drives, sidewalks, signs, lights, and/or landscaping which might affect the character of any building or structures within the District and similar factors which relate to the setting for such structure or grouping of structures.
- e. Every reasonable effort shall be made to provide compatible use for a property which requires minimal alteration of the building, structure, site, and its environment.
- f. The impact that the applicant's proposal will have on the setting and the extent to which it will preserve and enhance the historical, architectural, and cultural qualities of the District and community.
- g. The distinguishing original qualities or character of a building, structure, site, and its environment shall not be destroyed. The removal or alteration of any historical material or distinctive architectural features should be avoided when possible.
- h. Alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood and/or environment.
- i. Wherever possible, new additions or alterations to structures shall be done in such a manner

that if such additions or alterations were removed in the future, the essential form and integrity of the original structure would be unimpaired.

j. Restoration versus replacement

- I. Deteriorated architectural features shall be repaired rather than replaced, whenever possible.
- II. In the event replacement is necessary, the new material should match the material being replaced in composition, design, texture, and other visual qualities.
- III. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures. Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.
- IV. Demolition or Relocation of Buildings or Other Structures:
 - i. Before a building or other structure is demolished or moved out of the District or neighborhood, the applicant shall, in good faith, prepare a detailed plan for reuse of the vacated site which the Commission determines will meet the requirements of a Certificate of Approval.
 - ii. Such Certificates of Approval for demolition, relocation, or reuse shall only be granted upon a showing by the applicant that to deny such Certificate would result in a hardship unique to the property in question, and that such hardship is not common to the neighboring properties within the District or neighborhood

10.2 Activities Requiring Approval: any activity that is, or will be, visible from the public right-of-way and which affects the appearance of a building, structure, or site. No person shall undertake the following within the Historic District without a Certificate of Approval:

- a. Erection, alteration, removal, major repair, sandblasting, abrasive cleaning, siding, relocation or demolition of a building, structure or building exterior.
- b. Construction, erection, reconstruction, significant repair, or removal of any stonewall, fence, granite work, significant tree, sidewalk, paving, exterior lighting, streetlight, signage, traffic control device, or pole.
- c. Any site work, including, but not limited to grading, excavation, and paving.

10.3 Exemptions: the following activities do not require formal review:

- a. Ordinary general maintenance and in-kind repair required for upkeep of property.
- b. Ordinary maintenance and repair of any architectural feature that does not involve removal of said feature or a change in design, dimensions, materials, or outer appearance of such features.
- c. Painting or repainting of buildings or structures:
 - I. Colors employed shall be consistent with that of the balance of the district and shall be presented in a conventional manner.
 - II. Colors updated in kind i.e., new color is same as existing color.
 - III. Unconventional designs, colors, or color combinations are prohibited.

- d. New construction of accessory structures, such as clotheslines, treehouses, playhouses, flagpoles, play equipment, and sheds, providing the structure does not exceed 100 square feet in area and is not visible from the public right-of-way.
- e.
- f. Applicants shall consult with HDC's Agent prior to commencement of activity.

10.4 Modifications to approved plans, shall be handled as follows:

- a. Modifications must be re-approved at a public hearing.
- b. Deviations from approved plan invalidate the approval.
- c. Minor substitutions may be authorized by the HDC's Agent, provided that the substitution(s) do not have a detrimental effect on abutting properties and provided that any substitution's are consistent with HDC's and Town's regulations and standards. All minor substitutions shall be shown on a plan to be submitted to the HDC's Agent.

10.5 The HDC may, whenever it deems it appropriate, require the applicant to provide an impact statement, structural engineering review, or other documents to assist it in the review of an application. Further the Commission may require, in appropriate circumstances, special investigation and/or review of documentation submitted by the applicant by independent consultants selected by the Town with the cost thereof assessed to the applicant.

10.6 Enforcement: violations may be addressed through injunction, mandamus, abatement or other legal remedies.

10.6 Penalties: violations are punishable under [RSA 676:17](#).

Article 11 – DECISIONS

11.1 The Commission shall act to approve, conditionally approve, or disapprove.

11.2 Notice of the decision will be made available for public inspection at the Town Hall Planning Office within five (5) business days after the meeting as required in [RSA 676:3](#). If the application is disapproved, the Commission shall provide the applicant with written reason for the disapproval. If the application is approved with conditions, the Commission shall include in the written decision a detailed description of all conditions necessary for the final approval.

11.3 Any aggrieved party may appeal a Commission decision to the Zoning Board of Adjustment pursuant to [RSA 677:1-14](#).

Article 11 – RECORDS

12.1 Commission meeting minutes shall be kept in accordance with the provisions of [RSA 91-A](#). Meeting minutes, including the names of Commission members, persons appearing before the Commission and a brief description of the subject matter and final decisions, shall be open to public inspection within five business days of the public meeting as required in [RSA 91-A:2 II](#). Minutes, once adopted by the Commission with any corrections noted, will be the official record of the meeting and will be posted on the [Town's website](#) in a consistent and reasonably accessible [location](#).

- 1 **12.2** Minutes of site walks shall be kept if there is a quorum present at the site. The record of site visits
2 will be incorporated within the regular meeting minutes.
3
- 4 **12.3** The records of the Commission shall be kept by the HDC Agent and shall be made available for
5 public inspection at Town Hall as required by [RSA 91-A:4](#). Copies of minutes will be provided upon
6 request for their reproduction cost.
7
- 8 **12.4** All meeting materials are considered part of the public record and subject to public review. In the
9 event of a challenge to a decision by the Commission, all records shall be retained by the Town in
10 an appropriate repository for at least one year or until any appeal period has passed, whichever is
11 later.
12

13 **Article 13 – SITE VISITS**

- 15 **13.1** A “site visit” is defined as a visit by the HDC members to a location which is the subject of an
16 application before the Commission. This does not include a view of the site from adjoining public
17 roads or other observations that can be made without entering onto the property.
18
- 19 **13.2** Site visits are considered a public meeting and shall therefore comply with [RSA 91-A](#), including
20 notice, public access, and minutes when a quorum is present.
21
- 22 **13.3** During a site visit, HDC members may ask questions and discuss technical aspects of a proposal
23 with the applicant or applicant’s agent. However, opinions will not be discussed with the applicant,
24 applicant’s agent, or other HDC members.
25

26 **Article 14 – STANDARDS OF CONDUCT**

- 28 **14.1** The primary obligation of HDC members is to serve the public interest, and to conduct themselves
29 so as to maintain public confidence in the HDC and the conduct of its business.
30
- 31 **14.2** Members shall not directly or indirectly solicit any gifts or accept or receive any gift (whether in
32 money, services, loans, travel, entertainment, hospitality, or in some other form), under
33 circumstances in which it could be reasonably inferred that the gift was intended to influence them
34 in the performance of their duties or was intended as a reward for any recommendation or decision
35 on their part.
36
- 37 **14.3** To avoid conflict of interest or even the appearance of impropriety, any member who may receive
38 some private benefit from a HDC decision must not participate in that decision. The private benefit
39 may be direct or indirect; create a material personal gain or provide an advantage to relations,
40 friends, groups or associations that hold a significant share of the official's loyalty. An official with
41 a conflict of interest must make that interest public, abstain from voting on the matter, and except
42 as specified below, leave the table or podium area when Commission members deliberate and vote
43 on a matter. Further, the Commission member may not discuss the matter privately with any other
44 Commission member voting on the matter or otherwise communicate directly or indirectly with
45 Commission members regarding the matter in question so as to attempt to influence the vote on
46 said question.
47
- 48 **14.4** In circumstances where the number of Commission members who may not participate as a result
49 of the provision of Article 12.3 results in less than a quorum being able to participate in a given
50 question, the abstaining members may be counted as "present" for purposes of determining
51 whether a quorum is present although they are not allowed to participate in any way other than
52 abstaining. A Commission member who is participating only for the purpose of being counted for
53 the presence of a quorum shall be entitled to sit at the podium, provided that he/she not
54 participate, comment, or make any indication of his/her position.
55

- 1 **14.5** A Commission member must not disclose or improperly use confidential information obtained in
2 the course of his duties for financial gains or to further a personal interest.
3
- 4 **14.6** All Commission members share a responsibility to enforce adherence to the standards of conduct
5 herein. If a member believes that one or more members may, either by intention or inadvertence,
6 be in violation of these standards, s/he shall call that fact to the attention of the Chair who shall in
7 turn call it to the attention of the member in question.
8
- 9 **14.7** All discussions between HDC members and applicants or their agents regarding matters to be
10 decided by the Commission shall take place at public hearings as part of the public record.
11
- 12 **14.8** HDC members who have legal or other problems that reflect poorly on the Commission should step
13 down at least temporarily until their problems are resolved.
14
- 15 **14.9** [The Code of the Town of Salem, Chapter 33, Article I Code of Ethics for Boards, Committees, and](#)
16 [Commissions](#) applies to all HDC members.
17

18 **Article 15 – AMENDMENT**
19

- 20 **15.1** These Rules of Procedure may be amended, following a public hearing, by majority vote of the
21 Commission. The amended Rules of Procedure shall be filed with the Town Clerk and be available
22 for public inspection pursuant to [RSA 676:1](#).
23
24

25 Last revision adopted April 29, 2026.
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Design Guidelines

Salem Historic District Commission

Town of Salem, New Hampshire

[Town of Salem

Official Seal]

Adopted [Month] [Year]

Prepared by the Salem Historic District Commission

in accordance with RSA 674:45–674:50 and Salem Code of Ordinances Chapter 230

Old Town Hall Museum · 310 Main Street · Salem, NH 03079

Tel: (603) 890-2000 · salemnh.gov

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Foreword

A Letter from the Commission Chair

Salem, New Hampshire | [Month] [Year]

Dear Property Owner, Applicant, and Interested Resident,

On behalf of the Salem Historic District Commission, it is my honor and privilege to introduce these Design Guidelines — a document that represents not only our regulatory framework, but our collective commitment to the character, beauty, and authentic heritage of Salem, New Hampshire.

Salem has a rich and layered history. Our Old Town Hall, originally constructed in 1738 as the Salem Meeting House, has served this community through nearly three centuries of change — as a place of worship, civic governance, education, and cultural memory. The historic streetscape of Main Street, the rhythm of our clapboard-sided homes and brick commercial facades, and the mature trees and stone walls that define our neighborhoods — all of these elements speak to who we are as a community and where we have come from. They are irreplaceable, and once lost, they cannot be recovered.

The Salem Historic District Commission was established to be the steward of this irreplaceable legacy. Our role is not to freeze Salem in time, nor to obstruct reasonable change and necessary investment in our properties. Rather, it is to ensure that change — when it comes — respects and complements what makes Salem distinctive. We believe strongly that preservation and progress are not opposites: well-maintained, authentically preserved historic properties are among the most economically vital and livable places in any New England town.

These Design Guidelines are intended to be a resource — clear, practical, and welcoming. Whether you are planning to repaint your front door, replace aging siding, construct an addition, or build a new structure within the district, this document will guide you through the Commission's expectations, the

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applicable standards, and the application process. We have worked hard to make these guidelines as accessible and plain-language as possible, because we believe an informed applicant is our best partner.

I encourage every property owner in the Salem Historic District to read through these pages before undertaking any exterior work — and to reach out to the Planning Division or to the Commission itself with questions at any stage of your project. We are here to help, and we welcome pre-application consultations. The earlier you engage with us, the smoother and more successful your project will be.

Thank you for your investment in Salem's historic character. Every repaired window, every carefully matched clapboard, every thoughtfully designed addition is a contribution to our shared sense of place — and to the Salem that future generations will inherit.

With warm appreciation and respect,

Michael Banks

Chair, Salem Historic District Commission
Town of Salem, New Hampshire

Town of Salem, New Hampshire

Salem Historic District Commission | Design Guidelines

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At a Glance

Jurisdiction: All exteriors within the Salem Historic District visible from a public way.

Trigger: Any exterior alteration, new construction, or demolition requires a Certificate of Appropriateness (COA).

Standard: Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 67).

Authority: RSA 674:45–674:50; Salem Code Chapter 230.

Meetings: As needed; contact Planning Division at least 3 weeks in advance.

Contact: Planning Division, 33 Geremonty Drive, Salem, NH 03079

HDC Office: Old Town Hall Museum, 310 Main St, Salem, NH 03079

Section 1: Introduction

1.1 Purpose of the Design Guidelines

These Design Guidelines are established to assist property owners, applicants, architects, contractors, and the general public in understanding the standards and criteria applied by the Salem Historic District Commission (the "Commission" or "HDC") when reviewing applications for Certificates of Appropriateness (COA). They are intended to make the review process transparent, predictable, and accessible to all.

The Guidelines implement the Town's historic preservation ordinance (Chapter 230, Salem Unified Development Code) and align with the *Secretary of the Interior's Standards for Rehabilitation*. They are designed to protect and preserve the architectural character, historic integrity, and community identity of properties within the Salem Historic District while accommodating compatible growth, investment, and change.

Core Mission

The Commission's mission is not to obstruct change, but to ensure that change is *compatible* with Salem's historic character — protecting the irreplaceable assets that define our community's identity and support its economic vitality.

1.2 Authority and Enabling Legislation

The Salem Historic District Commission derives its authority from the following:

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- **New Hampshire RSA 674:45–674:50** — The enabling statutes for historic district commissions in New Hampshire, authorizing municipalities to establish historic districts and commissions for the purpose of preserving cultural resources, conserving property values, fostering civic beauty, strengthening the local economy, and promoting historic districts for the education and welfare of citizens.
- **Salem, NH Code of Ordinances, Title X, Chapter 230: Historic Preservation** — The local ordinance establishing the Salem Historic District, defining the Commission's composition, powers, and procedures.
- **Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 67)** — The federal regulatory standards adopted as the primary technical benchmark for evaluating rehabilitation projects.
- **National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 et seq.)** — The foundational federal law establishing the framework for historic preservation in the United States.

The Commission's jurisdiction covers all properties within the designated boundaries of the Salem Historic District. Any exterior work on a structure or site feature within the district that is visible from a public way requires review by the Commission prior to commencement.

1.3 How to Use This Document

These Design Guidelines are organized to move from general to specific. Readers are encouraged to begin with Sections 1 through 3, which establish the legal framework, core standards, and fundamental design principles that apply to all projects. Sections 4 through 8 address specific building elements and site features in detail. Section 9 explains the application and review process, and Section 10 addresses enforcement and available financial incentives.

If Your Project Involves...	Start With...
Any exterior alteration (windows, siding, doors, paint)	Sections 1, 3, and 4
A new addition to a historic structure	Sections 1, 3, and 5.1
New construction within the district	Sections 1, 3, and 5.2
Site work, fences, landscaping, or signage	Sections 1, 3, and 6

If Your Project Involves...	Start With...
Mechanical, utility, or accessibility work	Sections 1, 3, and 7
Energy or sustainability improvements	Sections 1, 3, and 8
Submitting an application	Section 9 (Application Process)
Definitions or technical terms	Appendix A (Glossary)

1.4 The Review Process

The Certificate of Appropriateness (COA) is the formal approval issued by the Commission authorizing proposed exterior work within the Salem Historic District. No work requiring a COA may commence until the COA has been issued. The review process proceeds as follows:

- 1. Pre-Application Consultation (Encouraged):** Before preparing a formal application, applicants are strongly encouraged to contact the Planning Division to discuss the proposed project informally. Early consultation often identifies concerns before significant design investment has been made, and can lead to a smoother, faster review.
- 2. Application Submittal:** Submit a completed COA Application Form along with all required supporting materials (see Section 9.3 Submittal Checklist) to the Planning Division at 33 Geremonty Drive, Salem, NH 03079.
- 3. Staff Review:** Planning Division staff will review the application for completeness and schedule the application for the next available HDC meeting. Incomplete applications will be returned to the applicant.
- 4. HDC Meeting and Review:** The Commission reviews the application at a scheduled public meeting. Applicants are encouraged to attend to present their project and answer questions. The Commission applies these Design Guidelines and the Secretary of the Interior's Standards in its evaluation.
- 5. Commission Decision:** The Commission votes to approve, approve with conditions, or deny the application. Written findings are issued for each decision.
- 6. Appeals:** Decisions of the Commission may be appealed to the Superior Court pursuant to RSA 677.

Quick Tip for Applicants

Contact the Planning Division **at least three weeks** before your desired meeting date to confirm scheduling and submission deadlines. Applications received after the deadline will be held for the following meeting.

1.5 Salem's Historic District — An Overview

The Town of Salem, New Hampshire, incorporated in 1750, is among the oldest communities in the Granite State. Its historic character is most visibly expressed along the Main Street corridor and in the vicinity of the Salem Commons, where the concentration of eighteenth- and nineteenth-century civic, residential, and commercial architecture creates a cohesive and irreplaceable sense of place.

The focal point of Salem's historic district is the **Old Town Hall at 310 Main Street**, originally constructed in 1738 as the Salem Meeting House — the community's first civic gathering place. Serving both religious and civic functions for the early inhabitants of Salem, the building was relocated to its present site in 1838. In 1900, a major renovation funded by philanthropist Edward F. Searles and designed by architect Henry Vaughan added Tudor Revival architectural elements that distinguish it to this day. The Old Town Hall was listed on the *New Hampshire State Register of Historic Places* in 2009 and was determined individually eligible for listing in the *National Register of Historic Places*. In 2011, it was formally recognized as a contributing structure in the Salem Commons Historic District.

The district's historic fabric encompasses a variety of architectural types and periods — from early Colonial and Federal-period structures to Victorian-era residences and early twentieth-century commercial buildings. This layered architectural history reflects Salem's growth from an agricultural community to a thriving New England town. The Main Street streetscape, with its mix of residential, civic, and commercial buildings set close to the public way, defines a traditional New England village character that is both historically significant and economically valuable.

Preservation of this character matters for multiple reasons:

- **Community Identity:** Salem's historic built environment is a tangible expression of its collective memory and civic pride.
- **Economic Value:** Studies consistently demonstrate that well-preserved historic districts support property values, attract heritage tourism, and stimulate local business activity.

- **Environmental Sustainability:** Rehabilitating existing historic structures is inherently more sustainable than demolition and new construction, conserving the embodied energy and craftsmanship already invested in historic buildings.
- **Irreplaceability:** Once historic fabric is lost — whether through demolition, inappropriate alteration, or neglect — it cannot be recovered. These Design Guidelines exist to prevent that loss.

[Figure 1.1 — Salem Historic District Map showing district boundaries, the Main Street corridor, Old Town Hall site at 310 Main Street, and Salem Commons. Available at Town Hall and at salemnh.gov]

Figure 1.1 — Salem Historic District Map. Contact the Planning Division for the current district boundary map.

Town of Salem, New Hampshire

Salem Historic District Commission | Design Guidelines

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Section 2: Secretary of the Interior's Standards

2.1 Overview of the Standards

The Commission applies the *Secretary of the Interior's Standards for Rehabilitation* (codified at 36 CFR Part 67) as the primary benchmark for reviewing work on historic properties within the Salem Historic District. First developed in 1976 to guide work on National Register properties receiving federal grants,

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the Standards have become the nationwide benchmark for local historic district commissions. They are applied to historic buildings of all periods, styles, materials, and sizes, and they encompass the exterior and interior of historic buildings, related landscape features, the building's site and environment, and new additions and adjacent new construction.

The Standards are applied in a reasonable manner, taking into consideration the economic and technical feasibility of each project. They are *not* prescriptive specifications dictating exactly how work must be done, but rather guiding principles against which proposed treatments are evaluated.

The ten Standards for Rehabilitation are as follows:

Standard 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

Standard 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

Standard 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

Standard 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

Standard 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

Standard 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

Standard 8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

Standard 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Standard 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The Core Principle

The Standards emphasize **repair over replacement** and **compatible new work over replication**. They seek to ensure the long-term preservation of those qualities for which each property is historically significant.

2.2 Applying the Standards in Salem

The Standards provide the evaluative framework; these Design Guidelines provide the local interpretive context specific to Salem's historic district. When the Commission applies the Standards, it does so with reference to Salem's particular architectural traditions, building types, materials, and streetscape patterns.

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Central to the Commission's evaluation are three key concepts:

Historic Character

Historic character is the overall impression conveyed by a property as a result of its physical features, both individually and collectively. It is the sum of all character-defining features — materials, form, scale, spatial relationships, and craftsmanship — that give the property its distinctive appearance and historic meaning. Alterations that diminish, obscure, or destroy historic character are inconsistent with the Standards.

Character-Defining Features

Character-defining features are those physical aspects of a historic property that convey its historical and architectural significance. They include exterior materials and surface finishes (brick, wood clapboard, slate roofing), architectural details (cornices, window surrounds, decorative brackets), spatial relationships (setback, massing, window-to-wall ratio), and construction techniques. The Commission identifies character-defining features on a property-by-property basis during the review process.

Distinguishing Original Qualities

The Standards require that each property be recognized as a physical record of its time, place, and use. Adding conjectural features, creating a false historical appearance, or obscuring evidence of the property's actual development over time runs counter to this principle. Honest, clearly contemporary interventions that are compatible with historic character are preferred over historically inaccurate "restorations" that did not exist on the property.

2.3 Contributing vs. Non-Contributing Structures

Within the Salem Historic District, properties are classified as either **contributing** or **non-contributing**. This classification affects the level of scrutiny applied during COA review.

Contributing Structures

A contributing structure is one that adds to the historic architectural character, historic associations, archaeological values, or cultural values for which the district is significant. Typically, contributing structures retain substantial historic integrity and were constructed during the period of significance for the district. They convey the historic character that the district is designated to protect. The Commission applies the highest level of review scrutiny to contributing structures.

Reference: Salem Code §230.030, §230.045

Non-Contributing Structures

A non-contributing structure is one that does not add to the historic character of the district, either because it does not retain sufficient historic integrity, was constructed outside the period of significance, or has been altered to a degree that its historic form has been obscured. Non-contributing structures within the district are still subject to HDC review, but the Commission applies a somewhat more flexible standard, particularly for alterations that would not affect contributing structures or the overall character of the district.

Reference: Salem Code §230.070

Feature	Contributing Structure	Non-Contributing Structure
Review standard	Full application of SOI Standards and these Guidelines	Compatibility with district character; more flexibility allowed
Material replacement	In-kind strongly preferred; synthetic substitutes generally not approved for primary facades	Compatible materials considered on case-by-case basis
Window replacement	Repair strongly preferred; vinyl generally not approved	Compatible replacements may be considered
Demolition	Requires strong justification; irreversible loss of historic fabric	Reviewed with regard to impact on district character

[Figure 2.1 — Salem Historic District Map showing the classification of contributing (shaded) and non-contributing (outlined) properties within the district boundary. Available from the Planning Division and at salemnh.gov]

Figure 2.1 — Contributing and Non-Contributing Properties, Salem Historic District.

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Section 3: General Design Principles

The following principles underlie all of the Commission's specific guidance in Sections 4 through 8. Any project reviewed by the Commission should demonstrate consistency with these principles, regardless of the specific element or scope of work involved.

3.1 Compatibility

New work — whether an alteration, addition, or new building — should be *compatible with* the historic fabric of the district while remaining *distinguishable from* it. Compatibility does not require replication or imitation of historic styles. Rather, it requires that the new work respect the scale, massing, setback, rhythm, proportion, materials, and color that characterize the historic district.

Compatibility is evaluated holistically. A project that uses compatible materials but dramatically disrupts the established scale or setback pattern may be found incompatible. Conversely, a contemporary design that respects scale, proportion, and material character while clearly expressing its own time may be found fully compatible.

Key factors of compatibility include:

- **Scale and Massing:** The overall size and three-dimensional form of a building relative to its neighbors.
- **Setback:** The relationship of the building to the public way, consistent with the established streetscape pattern.
- **Rhythm:** The repeating pattern of openings (windows, doors), structural bays, and building widths along a street.
- **Materials:** The type, texture, color, and finish of exterior materials consistent with those found in the district.
- **Color:** Exterior color palettes consistent with historically documented or contextually appropriate color traditions.

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- **Proportion:** The relationship of window size to wall area, building height to width, and other dimensional ratios characteristic of the district's historic buildings.

3.2 Reversibility

A central principle of historic preservation is that treatments should, wherever possible, be reversible — that is, capable of being undone in the future without causing irreparable harm to the historic fabric. This principle allows future generations to benefit from improved techniques, fuller documentation, or changed circumstances.

The Commission strongly prefers reversible treatments and looks unfavorably upon alterations that permanently destroy or obscure character-defining features. For example:

- Storm windows are reversible; removal of original windows is not.
- A compatible paint color over previously painted wood is reversible; applying paint to unpainted historic masonry is not easily reversible.
- A rear addition designed to be removable without damaging the historic structure satisfies Standard 10; an addition that demolishes original historic fabric does not.

3.3 Minimal Intervention

The least amount of work necessary to achieve a sound, functional, and compatible result is always preferred. This principle — sometimes called "minimal intervention" or "do as little as necessary" — guards against over-restoration, unnecessary removal of historic material, and well-intentioned but harmful treatments.

The Guiding Rule: Repair, Don't Replace

Before considering replacement of any historic element, applicants should demonstrate that repair is not feasible. The Commission will ask: Has repair been fully explored? Is the deterioration truly beyond repair, or merely in need of skilled maintenance and restoration? Replacement is appropriate only when repair is genuinely not feasible.

3.4 Authenticity of Materials

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Historic buildings in Salem's district were constructed with traditional materials — primarily wood, brick, stone, and cast iron — using traditional craftsmanship. These materials have proven durability, character, and patina that synthetic substitutes cannot authentically replicate. The Commission strongly values the use of traditional materials in repairs and replacements.

Synthetic substitute materials (vinyl siding, vinyl windows, fiber-cement panels mimicking wood profiles, EIFS stucco systems) are generally not approved for use on primary facades of contributing structures. Their use may be considered in limited circumstances on non-contributing structures or on rear/secondary elevations of contributing structures, provided they are compatible in appearance and do not damage historic fabric.

When in-kind materials are no longer commercially available, the Commission will work with applicants to identify the closest appropriate alternative, considering appearance, performance, and compatibility with adjacent historic fabric.

3.5 Hierarchy of Visibility

Not all parts of a historic property are equally visible from public ways, and the Commission's review reflects this reality. The level of scrutiny applied to proposed work is proportional to the visual prominence of the affected element:

Facade / Location	Visibility Level	Review Scrutiny
Primary (street-facing) facade	Highest	Strictest application of Standards and Guidelines
Secondary (side) facades visible from public way	Moderate	Standards applied; some flexibility allowed
Rear facades and roofs not visible from public way	Low to None	Compatibility still encouraged; less restrictive review
Interior spaces	None (from public way)	COA generally not required for interior-only work

Quick Tip for Applicants

Solar panels, mechanical equipment, and other contemporary systems are often best sited on rear roof slopes where they are not visible from any public way. The Commission strongly encourages this approach as a way to achieve energy and functional goals while protecting historic character.

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Section 4: Architectural Elements

This section provides element-by-element guidance for the most common types of exterior work on historic structures within the Salem Historic District. For each element, the Commission's general approach is to **retain and repair** rather than replace, and to require that any replacement match the original in appearance and — where possible — in material.

4.1 Masonry

Masonry — including brick, stone, and mortar — is among the most durable and character-defining materials found in historic New England buildings. Salem's historic brick commercial facades and stone foundations are irreplaceable once lost or inappropriately altered. Improper masonry treatments are among the most common and most damaging mistakes made on historic buildings.

Guidelines for Masonry

- Retain and repair historic masonry in place. Do not remove sound historic masonry for aesthetic reasons.

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- Repoint deteriorated mortar joints using mortar that matches the original in composition, color, texture, and joint profile. **Portland cement-based mortar (Type S or N as specified) should not be used on historic brick without careful testing**, as it is typically harder than historic brick and will cause spalling and cracking over time. Lime-based mortars are preferred for historic masonry.
- Do not apply waterproof coatings, water repellents, or paint to historic masonry that has traditionally been left unpainted. Such coatings trap moisture, accelerate deterioration, and alter historic appearance. Once applied, they are extremely difficult to remove without damaging the masonry.
- Do not sandblast, pressure-wash, or use abrasive cleaning methods on historic masonry. These methods permanently damage the surface of historic brick, removing the fired face and exposing the softer interior to accelerated deterioration.
- Where masonry replacement is necessary, use brick matching the original in size, color, texture, surface finish, and bond pattern. Salvaged historic brick from compatible sources may be used where available.
- Stone repairs and replacements must match the original in type, texture, finish, and coursing.

Warning: Inappropriate Masonry Treatments

Sandblasting, high-pressure washing, and application of Portland cement-based mortar to historic brick are irreversible treatments that cause permanent damage. These treatments will not be approved and, if performed without a COA, may require expensive remediation at the property owner's expense.

*[Figure 4.1 — Examples of appropriate vs. inappropriate repointing: correct lime-based mortar matched to historic joint profile (left); inappropriate hard Portland cement mortar overpointing original joints (right).
NPS Preservation Brief 2: Repointing Mortar Joints in Historic Masonry Buildings.]*

Figure 4.1 — Appropriate vs. Inappropriate Masonry Repointing.

4.2 Wood and Exterior Siding

Wood clapboard siding, wood shingles, and wood trim are the defining exterior materials of Salem's historic residential and many commercial structures. They represent centuries of New England building tradition and craftsmanship and are integral to the character of the district.

Guidelines for Wood Siding and Trim

- Retain and maintain original wood siding, clapboards, shingles, and all associated trim elements (corner boards, frieze boards, water tables, belt courses, window and door casings).
- Repair deteriorated sections of wood siding in-kind using matching wood materials, profiles, and dimensions. Epoxy consolidants and fillers may be used for localized deterioration where the structural integrity of the wood can be preserved.
- Where replacement is necessary, use wood of the same species, profile, width, and exposure as the original. If the original species is unavailable, a compatible alternative with matching appearance and performance characteristics may be considered.
- Vinyl siding, aluminum siding, or fiber-cement siding applied over or in place of original wood is **generally not approved for primary facades of contributing structures**. Such materials cannot replicate the shadow lines, dimensional profiles, or surface texture of historic wood siding.
- Exterior paint colors should be historically appropriate. A palette of two to three coordinated colors is typical for historic New England structures. Applicants are encouraged to consult National Park Service resources and historic paint research for their specific building period and type.
- Removal of original paint by methods that damage historic wood surfaces (heat guns at excessive temperatures, abrasive blasting) is not permitted. Chemical stripping and careful hand-scraping are preferred.

[Figure 4.2 — Appropriate wood siding profiles and trim details: standard clapboard profiles and exposures typical of Salem district structures; examples of appropriate corner board, frieze, and water table details.]

Figure 4.2 — Appropriate Wood Siding Profiles and Trim Details.

4.3 Windows

Historic windows are among the most character-defining features of any historic building. Their size, configuration, proportion, profile, material, and operation collectively define the architectural expression of a facade. The loss of original windows — particularly to vinyl replacement windows — is one of the most common and most visible threats to the historic integrity of buildings in New England historic districts.

Guidelines for Windows

- Retain original window openings, size, configuration, and profile. Do not alter window openings by reducing their size, adding additional windows, or infilling historic openings.
- **Repair historic wood windows rather than replace them.** Wood windows are repairable, durable, and, when properly maintained and combined with interior or exterior storm windows, can meet or exceed the energy performance of many replacement windows. Properly maintained double-hung wood windows can last for generations.
- Repair strategies include: re-glazing with linseed oil putty, re-painting with appropriate paints, re-roping sash weights, replacing individual sash members, weather-stripping, and adding storm windows.
- Where window replacement is genuinely unavoidable (due to severe deterioration beyond repair), replacement windows must:
 - Match the original window in overall dimension, light pattern (number and arrangement of panes), operation type (single-hung, double-hung, etc.), and external profile.

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- Be fabricated of wood or aluminum-clad wood. Narrow-profile aluminum-clad wood windows may be considered where they closely replicate the original profile.
- Not alter the historic opening size or shape.
- **Vinyl replacement windows are generally not approved for contributing structures**, as their profiles, proportions, and visual characteristics typically do not match historic wood windows.
- Do not change the operation of windows from double-hung to casement, or from wood-sash to fixed glazing, without Commission approval.
- Storm windows are strongly encouraged as a compatible energy-efficiency measure. Exterior storm windows should be full-view, low-profile aluminum or wood, in a color compatible with the historic window.

Energy Efficiency Note

Studies by the National Trust for Historic Preservation and the National Park Service demonstrate that properly maintained wood windows with added storm windows can achieve energy performance comparable to many replacement window products — while preserving historic character and avoiding landfill waste.

[Figure 4.3 — Window profiles: appropriate wood double-hung window with historic light pattern (left); appropriate aluminum-clad wood replacement matching original profile (center); inappropriate vinyl replacement window with incorrect proportions and thick sightlines (right).]

Figure 4.3 — Appropriate vs. Inappropriate Window Replacements.

4.4 Doors

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Historic entry doors, door surrounds, transoms, and sidelights contribute significantly to the character of both residential and commercial structures within the district. They are often the most visually prominent feature of a primary facade and deserve careful attention.

Guidelines for Doors

- Retain original door openings, door surrounds (including pilasters, entablatures, and pediments), transoms, and sidelights. These elements are character-defining features that should not be removed, altered, or covered.
- Repair rather than replace historic doors wherever feasible. Historic wood paneled doors can be repaired, re-hung, weather-stripped, and refinished to provide many additional decades of service.
- Where replacement is necessary, replacement doors should match the original in:
 - Material (wood preferred)
 - Panel configuration and number
 - Glazing pattern (if the historic door was glazed)
 - Overall dimension and profile
- Fiberglass or steel doors that authentically replicate the profile, panel depth, and glazing of historic wood doors may be considered on a case-by-case basis. The Commission will evaluate material samples and manufacturer's specifications.
- **Vinyl doors are generally not approved** for contributing structures, as they typically cannot replicate the dimensional and visual characteristics of historic wood doors.
- Storm doors, where used, should be full-view or compatible in design, frame color, and proportion with the historic door surround. Ornate aluminum or decorative storm doors that conflict with the historic character are not appropriate.
- Hardware (hinges, knobs, locksets, knockers) should be compatible with the historic period and style of the door.

[Figure 4.4 — Door surround details and appropriate replacement types: Federal-period door surround with pilasters and transom (left); appropriate paneled wood replacement door (center); inappropriate metal commercial door replacing historic wood paneled entry (right).]

Figure 4.4 — Door Surround Details and Appropriate Replacement Types.

4.5 Porches and Stoops

Porches and stoops are among the most prominent and character-defining features of Salem's historic residential structures. They define the relationship between the building and the street, provide visual complexity and rhythm to primary facades, and are an important component of New England architectural tradition.

Guidelines for Porches and Stoops

- Retain all historic porch elements: columns, railings, balusters, cornices, soffits, flooring, steps, newel posts, and decorative brackets. These elements work together to define porch character and should not be selectively removed.
- Repair deteriorated elements using in-kind materials — wood columns should be repaired with wood, not replaced with aluminum wraps or vinyl column covers.
- Where replacement of deteriorated elements is necessary, replacements must match the original in profile, dimension, material, and finish. Profile drawings or physical evidence of the original design should be provided.
- **Enclosing open porches** with siding, windows, or screens is generally discouraged on primary facades of contributing structures, as it fundamentally changes the character-defining open relationship between the building and the street.
- Porch flooring replacement should use wood (painted or stained) in appropriate board widths and profiles. Concrete, composite decking, or tile may be considered on rear or secondary porches.

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- New porch construction on historic structures should be compatible in scale, proportion, material, and detail with the historic building, but clearly differentiated from original historic fabric.

[Figure 4.5 — Porch detailing examples: historic porch with turned columns, wood balusters, and decorative brackets (left); appropriate repair of deteriorated column base (center); inappropriate aluminum-clad column and vinyl railing replacement (right).]

Figure 4.5 — Porch Detailing: Appropriate Treatment and Common Errors.

4.6 Roofs

The form and materials of historic roofs are visible character-defining features, particularly in Salem's district where the varied rooflines of residential and commercial structures contribute to the rhythm and identity of the streetscape.

Guidelines for Roofs

- Retain the original roof form, pitch, and — where visible from a public way — materials. Do not alter roof form or pitch without Commission approval.
- Historic roofing materials such as slate, clay tile, and wood shingle should be repaired or replaced in-kind where feasible. Salvaged or compatible new materials should be used when original materials are no longer available.
- Asphalt shingles may be approved as a replacement roofing material where the historic material is no longer present or feasible. Asphalt shingles must be in muted, historically compatible colors (grays, blacks, dark greens, and similar tones). Brightly colored or starkly contrasting asphalt shingles are not appropriate.
- Roof additions — dormers, skylights, mechanical penthouses, and utility equipment — should be minimized in number, size, and visual impact. They should be located on non-primary (rear) roof slopes where they are not visible from public ways.

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- **Solar panels** should be located on rear slopes not visible from public ways. Flush-mounted, low-profile panels in dark colors are preferred. Raised rack systems visible from a public way are generally not approved on contributing structures. See also Section 8.
- Gutters and downspouts should be in profiles and materials compatible with the historic structure. Half-round copper, galvanized, or painted aluminum gutters in appropriate colors are preferred over large-profile or unusually colored systems.

[Figure 4.6 — Roof forms and appropriate materials: examples of historic slate roof on Colonial-period structure (left); appropriate asphalt shingle replacement in dark gray tone (center); inappropriate brightly colored architectural shingles on a contributing structure (right). Roof form diagrams: gable, hip, gambrel, and mansard.]

Figure 4.6 — Roof Forms and Appropriate Roofing Materials.

4.7 Chimneys

Historic chimneys are visually prominent features that contribute to the character and silhouette of historic buildings. In many Salem district structures, chimneys are original character-defining features that predate modern heating systems and represent a significant element of the building's historic identity.

Guidelines for Chimneys

- Retain historic chimneys that are character-defining features of the building or its historic profile. Do not remove prominent chimneys without strong justification and Commission approval.
- Repair rather than rebuild historic chimneys. Match original brick in size, color, texture, and bond pattern. Match original mortar in composition, color, and joint profile.
- Chimney caps, flashing, and corbeling details should be repaired or replaced to match the historic design.

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- Where a deteriorated chimney must be rebuilt, the rebuilt chimney must match the original in height, width, profile, brick, mortar, and cap design. Documentation of the original design (photographs, drawings) should accompany the COA application.
- Removal of a prominent chimney requires compelling structural justification and written Commission approval. Loss of a prominent chimney is an irreversible alteration to the building's historic profile.

4.8 Architectural Details and Ornamentation

Historic architectural details — cornices, brackets, dentils, window hoods, belt courses, decorative vergeboard, and ornamental trim — define the stylistic character and historical period of many district structures. Their loss, even incrementally, erodes the richness and authenticity of the historic streetscape.

Guidelines for Architectural Details

- Retain all historic decorative details, including cornices, brackets, dentils, window hoods, belt courses, vergeboard, and ornamental trim. These elements are character-defining features and should not be removed for convenience or to simplify maintenance.
- Repair deteriorated details in-kind. Wood details can be repaired using epoxy consolidants, dutchman repairs, and custom millwork. Cast iron and sheet metal elements can be repaired by qualified metalworkers.
- Where replacement is necessary, replacement details must match the original in profile, dimension, material, and finish. Existing physical evidence, historic photographs, and similar structures in the district should be used to document the original design.
- Addition of non-historic ornamentation — decorative elements that did not exist on the original building and are not consistent with its historic period and style — is discouraged. Such additions create a "false history" inconsistent with Standard 3.
- Restoration of documented but missing historic details may be approved when substantiated by physical, documentary, or pictorial evidence consistent with Standard 6.

Quick Tip for Applicants

Before removing any architectural detail — even one that appears severely deteriorated — consult with the Planning Division. Many elements that appear beyond repair can be stabilized, repaired, or replicated by skilled craftspeople at costs competitive with full removal and replacement.

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Section 5: Additions and New Construction

5.1 Additions to Historic Structures

Adding to a historic structure is one of the most design-sensitive challenges in historic preservation practice. Done well, an addition provides needed space, accommodates modern uses, and extends the useful life of the historic building. Done poorly, an addition can compromise the historic integrity, overwhelm the historic fabric, or create a false historical appearance. The Commission applies Standards 9 and 10 — compatibility and reversibility — as the primary criteria for evaluating proposed additions.

Location and Siting

- Locate additions to the rear or on inconspicuous (non-primary) sides of the historic structure wherever possible, minimizing their visibility from public ways.
- Avoid siting additions on primary facades where they would disrupt the historic streetscape character.

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- The addition should not obscure, damage, or destroy character-defining features of the historic structure.

Design Character

- Additions must be designed to be **differentiated from, yet compatible with**, the historic structure. They should read as new construction, not as replications of the historic building.
- The addition should be **subordinate** to the historic building in size, scale, and height. The historic structure should remain the primary visual element.
- Use compatible materials — materials that are consistent with those found in the district and that are compatible in appearance with the historic structure — without exactly duplicating historic details or profiles.
- A "hyphen" or connector element between the historic structure and a new addition is encouraged. This strategy — recommended by the National Park Service — visually separates new from old, makes the addition clearly contemporary, and allows the addition to be removed in the future without damaging the historic structure (satisfying Standard 10).
- Window openings, roof forms, and facade proportions on the addition should be compatible with, though not slavishly imitative of, those of the historic structure.

Reversibility

- Additions should be designed and constructed so that, if removed in the future, the essential form and integrity of the historic building and its environment would remain unimpaired (Standard 10).
- The construction of the addition should not require the removal or destruction of historic fabric. Where attachment to the historic structure is necessary, the method of attachment should be minimally invasive and reversible where feasible.

[Figure 5.1 — Appropriate vs. Inappropriate Addition Designs: appropriate rear addition connected by a subordinate hyphen element, clearly differentiated in material and design from historic structure (left);

inappropriate addition replicating historic facade, creating false sense of historical development (center); inappropriate front addition overwhelming and obscuring historic primary facade (right). Source: NPS Preservation Briefs 14.]

Figure 5.1 — Appropriate vs. Inappropriate Addition Designs.

Design Guidance: The "New Addition" Principle

The Commission does not expect, and generally does not prefer, additions that replicate or imitate the historic style of the building. An honest, contemporary design that respects scale, materials, and proportion — and is clearly of its own time — is more consistent with the Secretary of the Interior's Standards than a historically inaccurate imitation of the original.

5.2 New Construction in the Historic District

New buildings constructed within the Salem Historic District must be compatible with the district's established historic character. Compatibility is evaluated against the district's defining characteristics — not against any single neighboring structure — and does not require that new buildings replicate historic styles.

The Commission encourages thoughtful, high-quality contemporary design that demonstrates a respect for and understanding of the district's scale, proportion, material character, and spatial patterns. A new building that is clearly of its own time, while responding sensitively to its historic context, is preferred over a poorly executed historical imitation.

Compatibility Criteria for New Construction

The Commission evaluates new construction against the following criteria (reference Salem Code §230.070):

Criterion	Guideline
Scale and Massing	New buildings should generally not exceed the average height of adjacent historic buildings. Massing should be consistent with the block pattern and avoid monolithic, undifferentiated forms.

Criterion	Guideline
Setback	Setback from the public way should be consistent with the established historic streetscape pattern. Where historic buildings are built to the sidewalk, new buildings should generally follow the same pattern.
Rhythm	Maintain the historic pattern of facade spacing, window openings, structural bays, and building widths. Avoid blank facades or facades that disrupt the established rhythm of the streetscape.
Window-to-Wall Ratio	Window openings should maintain a proportion consistent with historic structures in the district — typically a ratio emphasizing vertical emphasis and substantial solid wall area.
Materials	Use materials consistent with those found in the district — brick, wood, stone, painted metal. Large expanses of glass curtain wall, reflective metal panel, or vinyl siding are generally not appropriate for street-facing facades.
Color	Exterior colors should be compatible with the historic color character of the district. Highly reflective, neon, or starkly contrasting colors are generally not appropriate.
Roof Form	Roof forms should be compatible with the prevailing roof forms in the district (pitched roofs are generally preferred over flat roofs on primary facades in residential contexts).

[Figure 5.2 — New Construction Compatibility Criteria Diagram: diagram illustrating appropriate setback, massing, height, rhythm, and facade proportions for new infill construction in a historic New England streetscape context. Source: Salem HDC.]

Figure 5.2 — New Construction Compatibility Criteria in the Salem Historic District.

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Section 6: Site Features and Landscaping

The site features surrounding a historic structure — fences, walkways, driveways, landscaping, lighting, accessory structures, and signs — contribute to the historic character of the property and the district as a whole. These elements are subject to COA review when visible from a public way.

6.1 Fences and Walls

Historic fence and wall types found in New England communities — wood picket fences, wrought iron fences, granite post-and-rail fences, and low stone walls — are appropriate for the Salem Historic District. They reinforce the historic character of properties and the streetscape.

Guidelines for Fences and Walls

- **Generally appropriate:** Wood picket fences (painted white or in compatible colors), wrought or cast iron fences, stone and granite post fences, low stone walls. These types are consistent with historic New England residential and civic landscapes.
- **Generally not appropriate for contributing structures visible from public ways:** Chain-link fences, split-rail fences (in front yard areas), stockade privacy fences, and vinyl privacy fences. These types are inconsistent with the historic character of the district's primary streetscapes.
- Fence height and placement should be consistent with historic patterns in the district. Front yard fences are typically lower (under 4 feet) than side or rear yard privacy fences.
- Existing historic stone walls and granite posts should be retained and repaired rather than removed or replaced.
- Retaining walls, when necessary, should be constructed of materials consistent with those found in the district (stone, brick, or painted wood). Large exposed concrete retaining walls are generally not appropriate on primary facades.

[Figure 6.1 — Appropriate fence types for the Salem Historic District: wood picket fence (left); cast iron fence (center); granite post-and-rail (right). Examples of inappropriate fence types: chain-link (not shown), stockade privacy fencing (not shown).]

Figure 6.1 — Appropriate Fence Types for the Salem Historic District.

6.2 Walkways, Driveways, and Paving

Historic paving materials — brick, bluestone, granite sett, and flagstone — contribute to the character of the historic streetscape and landscape. Where such materials exist, they should be retained and repaired.

Guidelines for Paving

- Retain historic paving materials where present — brick, bluestone, granite setts, flagstone, and similar. Repair deteriorated sections using matching materials and patterns.
- New paving should use materials compatible with the district's historic character. Brick, bluestone, and stone pavers are strongly preferred for walkways and entry areas on primary facades.
- Plain poured concrete is generally acceptable for walkways and driveways, but is not preferred for primary entry walks of contributing structures.
- Stamped or stained concrete mimicking historic paving patterns may be considered as an alternative where the visual result is compatible. The Commission will evaluate samples.
- Avoid widening driveways or adding parking aprons that encroach on the historic landscaped front yard, as this disrupts the traditional relationship between building and street.
- Asphalt is generally acceptable for driveways; it is not appropriate for primary entry walkways on contributing structures.

6.3 Landscaping

The historic landscape setting of buildings in the district — including mature trees, foundation plantings, hedges, and historic garden features — contributes to the character and setting of historic properties. These landscape elements are worthy of preservation in their own right.

Guidelines for Landscaping

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- Retain and protect mature trees and significant historic landscape features. Large trees provide shade, scale, and seasonal character that are integral to the district's visual character.
- Removal of significant trees from historic properties should be justified and, where required by Town ordinance, subject to the applicable tree removal permitting process.
- New landscaping should not obscure character-defining architectural features — particularly primary facade elements such as entry porches, door surrounds, window arrangements, and belt courses.
- Foundation plantings should be kept at a scale that does not obscure the base of the building or the relationship between the structure and the ground.
- Native and historically appropriate plant species are encouraged. Exotic or invasive species should be avoided.
- Landscape changes that significantly alter the grade around a historic structure may affect the structure's foundation and drainage and should be undertaken carefully.

6.4 Lighting

Exterior lighting on historic properties should enhance the character of the building without overwhelming or obscuring its historic features. Lighting is subject to COA review when installed on or directly serving the exterior of a historic structure or its site features.

Guidelines for Exterior Lighting

- Exterior light fixtures should be period-appropriate in style — consistent with the architectural period and character of the historic building — or simple and understated in design where period-appropriate fixtures are not feasible.
- Avoid modern commercial lighting styles (bare bulb spotlights, large area flood fixtures, industrial-style fixtures) on historic residential and civic structures. These fixtures are visually incongruous with historic architecture.
- Light levels should be appropriate to the use — residential-scale illumination is generally preferred over commercial-intensity lighting on historic residences.

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- Lighting should not flood, wash, or backlight the building facade in a manner that obscures architectural detail or alters the historic character of the streetscape at night.
- Low-profile, downward-directed path and entry lighting is generally appropriate and encouraged for safety.
- Holiday and decorative lighting that is temporary in nature does not require a COA, provided fixtures are not permanently installed.

6.5 Accessory Structures

Garages, sheds, carriage houses, and other outbuildings within the Salem Historic District are subject to COA review when visible from a public way. Historic accessory structures may themselves be character-defining features of the property and the district.

Guidelines for Accessory Structures

- Historic carriage houses, barns, and outbuildings that contribute to the character of the property should be retained, maintained, and repaired in kind.
- New accessory structures (garages, sheds, studios) should be compatible in material, color, and design with the principal historic structure. They need not replicate the historic style, but should not visually dominate the primary structure or the streetscape.
- Locate new accessory structures to minimize visual impact on the streetscape. Rear yard locations are strongly preferred. Side yard locations should be carefully evaluated.
- Building materials for accessory structures should be compatible with those of the primary structure — typically wood siding, brick, or materials in complementary colors and profiles.
- Oversized or overly prominent garage doors facing the street are generally not appropriate for contributing properties.

6.6 Signs

Signs on historic properties within the district must comply with both the Town of Salem Sign Regulations and the requirements for a Certificate of Appropriateness. The Commission evaluates signs for compatibility with the historic character of the building and the district.

Guidelines for Signs

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- Historic sign locations — such as established recessed sign panels, transom areas, or traditional mounting positions — should be preserved and used where feasible.
- Historic mounting methods (projecting bracket signs, painted on-glass signs, flush wall signs at transom level) are appropriate and encouraged.
- Sign materials should be compatible with the historic building — wood, painted metal, and similar materials are preferred. Plastic face signs are generally not appropriate.
- Sign lettering, style, and color should be compatible with the historic character of the building and the district.
- **Illumination:** Indirect illumination (gooseneck or arm-mounted fixtures directed at the sign face) or halo-lit channel letter signs are preferred. Internally backlit plastic-face box signs are generally not appropriate for contributing structures.
- Sign area and number should comply with Salem Sign Regulations. The Commission may impose additional restrictions where signs would obscure character-defining architectural features.

[Figure 6.2 — Appropriate signage examples for the Salem Historic District: painted wood projecting sign with bracket mounting (left); flush wall sign at transom level with gooseneck illumination (center); internally illuminated box sign — inappropriate for contributing structures (right, labeled as NOT APPROPRIATE).]

Figure 6.2 — Appropriate and Inappropriate Signage in the Salem Historic District.

Town of Salem, New Hampshire

Section 7: Mechanical, Electrical, and Accessibility

Modern mechanical, electrical, and accessibility systems are essential components of any occupied building. The Commission recognizes this, and its guidelines in this section are designed to allow property owners to achieve modern comfort, functionality, and compliance while minimizing the visual impact of necessary systems on historic character.

7.1 HVAC and Mechanical Systems

Heating, ventilation, and air conditioning (HVAC) systems, along with other mechanical equipment, are increasingly visible on historic buildings. Proper planning and placement can minimize their impact substantially.

Guidelines for Mechanical Systems

- Mechanical equipment — including condensing units, compressors, ductwork, exhaust fans, and similar elements — should be located where not visible from public ways. Rear yard and rooftop locations on non-primary slopes are strongly preferred.
- Roof-mounted mechanical equipment must be screened with materials compatible with the historic character of the building and set back from roof edges so as not to be visible from the public way.
- Penetrations through historic facades — for vents, conduits, and service lines — should be minimized in number and size. Where penetrations are necessary, they should be patched to match the surrounding historic material in color, texture, and profile.
- Through-wall air conditioning units are generally not appropriate for primary facades of contributing structures. Placement on rear or secondary facades may be considered.
- Mini-split HVAC systems, which require only a small penetration for refrigerant lines, are often a less invasive alternative to central duct systems for historic buildings. Exterior compressor units should be located in unobtrusive locations.

7.2 Utilities and Service Areas

Utility connections, meter boxes, electrical panels, gas meters, cable and telecommunications equipment, and service areas are frequently proposed on historic facades. Their visual impact can be significantly reduced with careful placement.

Guidelines for Utilities

- Meter boxes, utility connections, and service panels should be located on non-primary (rear or secondary) facades wherever feasible. When utility company requirements dictate primary facade placement, the applicant should discuss options with the utility company and the Planning Division before submitting a COA application.
- Electrical conduit and cable runs on historic facade surfaces should be minimized and, where required, located in inconspicuous positions and painted to match the surrounding surface.
- Satellite dishes, telecommunications equipment, and antennae should be located where not visible from public ways.
- Service areas, dumpster enclosures, and utility yards should be screened with fencing or landscaping compatible with the historic character of the property.

7.3 Accessibility Improvements

The Commission strongly supports making historic buildings fully accessible to people of all abilities. Accessibility is a fundamental public interest, and the Commission views accessibility improvements not as threats to historic integrity but as an important part of sustaining historic buildings as living, functioning community assets.

Guidelines for Accessibility

- Accessibility improvements should be designed using the "**least intrusive means**" standard — achieving the required level of accessibility with the minimum necessary alteration to historic fabric.
- Applicants are encouraged to consult ADA guidelines, NH accessibility standards, and the National Park Service's guidance on accessibility in historic buildings (*Preservation Brief 32: Making Historic Properties Accessible*).

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- Accessibility ramps should be designed to minimize impact on historic fabric. Where possible, locate ramps on secondary or rear entrances. Ramps and lifts should be constructed of materials compatible with the historic building and landscape.
- Temporary or reversible accessibility solutions (portable ramps, platform lifts) are preferred over permanent alterations where they can provide equivalent accessibility.
- Vertical platform lifts are often less intrusive than full ramp systems and should be considered as an alternative where ramps would require significant grading or structural changes.
- Alterations required to comply with the Americans with Disabilities Act or NH accessibility law are not exempt from HDC review, but the Commission will apply a sympathetic and collaborative approach to finding compatible solutions.

Commission Commitment to Accessibility

The Salem Historic District Commission is committed to working collaboratively with property owners to find accessibility solutions that are both fully compliant and sensitive to historic character. Early consultation with the Commission and the Planning Division on accessibility projects is strongly encouraged.

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Section 8: Sustainability and Energy Efficiency

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Historic preservation is inherently sustainable. The rehabilitation and ongoing maintenance of existing historic buildings conserves the embodied energy already invested in their materials and construction — energy that would be consumed in demolition, material disposal, and new construction. Choosing to rehabilitate rather than demolish is itself a significant sustainability decision.

At the same time, the Commission recognizes that property owners have legitimate and important goals related to energy efficiency, carbon reduction, and long-term operating cost savings. These goals are entirely compatible with historic preservation when pursued thoughtfully. The Commission is committed to working with applicants to identify compatible energy improvement strategies.

8.1 Compatible Energy Improvements

Insulation and Air Sealing

Insulation and air sealing improvements — applied to attic spaces, crawl spaces, basement rim joists, and interior wall cavities — can dramatically improve a historic building's energy performance with no visible exterior impact. These treatments generally do not require a COA and are strongly encouraged as a first priority for energy improvement.

Storm Windows and Doors

Interior or exterior storm windows and storm doors are among the most cost-effective energy improvements available for historic buildings. They add insulating value while preserving the original window and door, avoiding the irreversible loss of historic fabric. Exterior storm windows in low-profile aluminum or wood, in colors compatible with the historic window frame, are strongly encouraged and generally approved without difficulty.

Solar Energy Systems

- Solar photovoltaic (PV) and solar thermal panels are generally supported by the Commission, provided they are sited and installed to minimize visibility from public ways.
- **Preferred placement:** Rear roof slopes not visible from any public way.
- **Preferred mounting:** Flush-mounted, low-profile systems in dark colors that minimize visual contrast with the surrounding roof material.
- Raised rack systems mounted on primary or secondary slopes visible from public ways are generally not approved for contributing structures.

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- All solar installations visible from a public way require a COA application, including photographs of the proposed installation location, a rendering or photosimulation showing the proposed appearance, and panel specifications.

Other Energy Systems

- **Heat pumps and mini-split systems:** Generally compatible; exterior compressor units should be located in inconspicuous locations **and/or screening**. See Section 7.1.
- **Green roofs and vegetative roofing:** Considered on a case-by-case basis. Must not significantly alter roof form or mass as seen from public ways.
- **Rainwater management systems (rain barrels, cisterns):** Generally compatible when located in inconspicuous locations; consult Planning Division regarding permitting requirements.
- **EV charging stations:** May be installed in rear or side yards in inconspicuous locations. Signage and equipment should be minimal and low-key.

A Note on the Embodied Energy Argument

Researchers at the National Trust for Historic Preservation have documented that demolishing an existing building and replacing it with a highly energy-efficient new building can take 65 years or more for the new building's operational energy savings to offset the carbon cost of demolition and new construction. Rehabilitating and maintaining historic buildings is a deeply green choice.

Quick Tip for Applicants

If you are considering energy improvements that may be visible from a public way, contact the Planning Division for a pre-application consultation before ordering equipment or scheduling installation. Early consultation allows the Commission to suggest compatible approaches and avoids the cost and disruption of removing unapproved work.

Section 9: Application Process and Submittal Requirements

9.1 When a Certificate of Appropriateness Is Required

A Certificate of Appropriateness (COA) is required before any of the following actions may be undertaken on a property within the Salem Historic District:

- Any exterior alteration to a structure that is or will be visible from a public way
- Demolition of all or part of any structure within the district
- New construction of any structure within the district, including accessory structures
- Changes to site features (fences, walls, paving, landscaping, signs, lighting) that are visible from a public way
- Installation of mechanical equipment, utility connections, or solar panels visible from a public way

Important: Work May Not Commence Without a COA

No work requiring a Certificate of Appropriateness may commence until the COA has been issued in writing by the Commission. Commencing work without a required COA is a violation of Salem Code Chapter 230 and may result in enforcement action, including required removal of unauthorized work at the property owner's expense.

9.2 What Is NOT Required

The following types of work do not require a Certificate of Appropriateness:

- Interior work that is not visible from a public way
- Ordinary maintenance and repair using the same materials, design, and methods as the existing element being maintained (e.g., repainting in the same color, replacing individual damaged clapboards in-kind, cleaning)
- Emergency stabilization work necessary to prevent immediate threat to public safety (notify the Commission and Planning Division as soon as practicable after such work)
- Landscaping and lawn maintenance that does not alter grade or remove significant trees

If you are uncertain whether your proposed work requires a COA, contact the Planning Division for guidance before commencing work.

9.3 Submittal Checklist

The following table identifies the materials required for COA applications. All required items must be submitted before the application will be considered complete and scheduled for review.

Submittal Item	Required For
Completed COA Application Form (available from Planning Division)	All projects
Site plan or survey showing property lines, existing and proposed structures, and setbacks	New construction, additions, site work
Existing photographs of all elevations (minimum 4" x 6", clear focus)	All projects
Proposed drawings and elevations drawn to scale, showing all proposed changes	All projects
Material samples or manufacturer's cut sheets with color and finish specifications	Projects involving material changes (siding, roofing, masonry)
Manufacturer's specifications and product data sheets	Window and door replacements
Color samples (paint chips, material swatches)	Paint and exterior color changes
Lighting fixture specifications and photometric data	New or replacement exterior lighting
Sign drawings with dimensions, materials, color, and illumination details	All signage applications

Submittal Item	Required For
Contractor qualifications and references for specialized restoration work	Masonry repointing, restoration of architectural details
Photosimulation or rendering showing proposed solar installations	Solar panel installations
Demolition plan with documentation of structures to be demolished	Demolition projects

Tip: More Information Leads to Better Outcomes

Incomplete applications cause delays. Applicants who submit complete, well-documented packages — including clear photographs, accurate drawings, and product specifications — experience the most efficient reviews. When in doubt about what to include, ask the Planning Division staff.

9.4 Meeting Schedule and Deadlines

The Salem Historic District Commission meets on an as-needed basis. Meetings are scheduled when complete applications are received and ready for review. There is no fixed monthly meeting schedule; the Commission convenes as required by the volume of applications.

Applicants should contact the Planning Division **at least three (3) weeks** prior to their desired meeting date to confirm scheduling and submission deadlines. Applications received after the established deadline for a given meeting will be held for the following scheduled meeting.

All HDC meetings are open to the public. Meeting dates, agendas, and minutes are posted at Town Hall and on the Town website at saalemnh.gov.

Planning Division Contact Information:

Planning Division, Town of Salem

33 Geremonty Drive, Salem, NH 03079

Phone: (603) 890-2000

Website: saalemnh.gov

9.5 Decision Criteria

In evaluating each application, the Commission considers the following in order of priority:

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7. These Design Guidelines — Salem Historic District Commission Design Guidelines (this document)
8. The *Secretary of the Interior's Standards for Rehabilitation* (36 CFR Part 67)
9. Salem Code of Ordinances, Title X, Chapter 230: Historic Preservation
10. The specific historic character and context of the individual property and its surrounding streetscape
11. National Park Service Preservation Briefs and Guidelines for specific materials and treatments

The Commission may, in its discretion, consult with the NH Division of Historical Resources (NHDHR), the NH Preservation Alliance, or other technical experts in evaluating complex applications.

9.6 Appeals

Any person aggrieved by a decision of the Salem Historic District Commission may appeal to the Superior Court in accordance with the provisions of RSA 677. An appeal must be filed within the time period specified under RSA 677. Applicants considering an appeal are strongly encouraged to consult with legal counsel.

Prior to formal appeal, applicants may request reconsideration by the Commission based on new information or changed project design. Applicants should contact the Planning Division to discuss options before filing a formal legal appeal.

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Section 10: Enforcement and Incentives

10.1 Enforcement

The Salem Historic District Commission is charged with enforcing Salem Code of Ordinances Chapter 230. Work performed without a required Certificate of Appropriateness, or work that materially deviates from the scope of an approved COA, constitutes a violation of the Code.

Enforcement Procedures

- Upon receiving a complaint or discovering a potential violation, the Planning Division or Commission will investigate and document the scope of the alleged unauthorized work.
- The property owner will be notified in writing of the alleged violation and given an opportunity to respond and to submit a retroactive COA application if applicable.
- If work is found to be in violation of the Code and is not approvable under these Guidelines, the Commission may require the removal or correction of unauthorized work at the property owner's expense.
- Ongoing or willful violations may be referred to the Town's legal counsel for further enforcement action consistent with Salem Code Chapter 230 and applicable New Hampshire law.
- The Commission strongly prefers compliance over enforcement. Property owners who discover that work was started without a COA are encouraged to contact the Planning Division immediately to discuss corrective options before further work is performed.

Enforcement Notice

Unauthorized work may be required to be removed or corrected at the property owner's expense. The cost of removing and restoring inappropriate alterations is almost always greater than the cost of obtaining a COA approval at the outset. When in doubt, call first.

10.2 Financial Incentives for Historic Preservation

Property owners within the Salem Historic District may be eligible for a range of financial incentives that can significantly offset the cost of quality preservation work. The Commission encourages all property owners to explore these programs before undertaking rehabilitation projects.

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Federal Historic Tax Credit (20%)

The Federal Historic Preservation Tax Credit (HTC) provides a 20% income tax credit for qualified costs of rehabilitating income-producing historic structures listed on or eligible for the National Register of Historic Places. The rehabilitation must be a "certified rehabilitation" consistent with the Secretary of the Interior's Standards. Applications are processed through the NH Division of Historical Resources (NHDHR) in cooperation with the National Park Service.

New Hampshire State Historic Tax Credit

The State of New Hampshire provides historic tax credit programs for certified historic structures. Eligibility and credit amounts vary; contact the NH Division of Historical Resources for current program information and application procedures.

Historic Preservation Grants

- **NH Preservation Alliance:** Offers technical assistance, stewardship grants, and advocacy resources for historic property owners in New Hampshire.
- **Land and Community Heritage Investment Program (LCHIP):** NH state program providing matching grants for the protection of natural, cultural, and historic resources. The Town of Salem's Old Town Hall Facility Assessment was funded in part through LCHIP.
- **National Trust Preservation Funds:** Small grants for preservation planning and education activities from the National Trust for Historic Preservation.

Local Property Tax Considerations

Property owners of qualifying historic structures may be eligible for property tax exemptions or adjustments under New Hampshire law. Consult the Town of Salem Assessor's Office for information on applicable programs and eligibility requirements.

Incentive Program	Type	Contact
Federal Historic Tax Credit (20%)	Income tax credit for income-producing properties	NH Division of Historical Resources; National Park Service
NH State Historic Tax Credit	State income tax credit	NH Division of Historical Resources, Concord, NH
LCHIP Grants	Matching preservation grants	NH LCHIP Program, Concord, NH

Incentive Program	Type	Contact
NH Preservation Alliance Grants	Technical assistance and stewardship grants	NH Preservation Alliance, Concord, NH
Local Property Tax Exemption	Potential tax relief for qualifying properties	Town of Salem Assessor's Office

Town of Salem, New Hampshire

Appendix A: Glossary of Terms

The following definitions apply to terms used in these Design Guidelines and in the administration of the Salem Historic District Commission review process.

Authenticity — The quality of a historic property or material that reflects genuine original construction, materials, craftsmanship, and historical associations, as opposed to reproductions or falsified historical character.

Certificate of Appropriateness (COA) — The formal written approval issued by the Salem Historic District Commission authorizing proposed exterior work within the Salem Historic District. No work requiring a COA may commence until the COA has been issued.

Character-Defining Feature — Those physical aspects of a historic property — including materials, form, architectural details, spatial relationships, and construction techniques — that convey the property's historical and architectural significance and which, if altered or removed, would diminish or destroy the property's historic character.

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Compatible — Describes new construction, alterations, or additions that are harmonious with the scale, massing, material, proportion, and character of the historic district, without necessarily replicating historic styles or materials.

Contributing Structure — A building, structure, object, or site that adds to the historic architectural associations, historic associations, archaeological values, or cultural values of the Salem Historic District, and that retains sufficient historic integrity to convey its significance.

Distinguishing Original Qualities — The materials, features, finishes, and construction techniques that define a historic property as a product of its particular time, place, and use. The Standards require that these qualities be recognized and preserved, not obscured or replaced.

Embodied Energy — The total energy invested in the extraction, processing, manufacture, and installation of the materials that make up a building. Rehabilitation conserves embodied energy; demolition destroys it.

Facade — Any exterior wall surface of a building. The primary facade is typically the street-facing elevation. Secondary facades are side elevations; rear facades face the rear of the property.

Historic District — A geographically defined area, recognized by a local ordinance or listed on the National Register of Historic Places, that contains buildings, structures, sites, and objects that collectively convey a sense of time, place, and historical significance.

Historic Fabric — The original and early building materials, construction assemblies, and architectural elements of a historic structure. The preservation of historic fabric is a primary goal of the Secretary of the Interior's Standards.

Historic Integrity — The authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance. The seven aspects of integrity are: location, design, setting, materials, workmanship, feeling, and association.

In-Kind Replacement — The replacement of deteriorated historic building materials or elements with new materials that match the original in species (for wood), composition (for masonry materials), dimension, profile, texture, color, and finish. In-kind replacement is preferred over substitute materials when repair is not feasible.

Massing — The three-dimensional form and overall volume of a building, including its height, width, depth, and the relationship of its parts. Massing is a key factor in evaluating the compatibility of new construction or additions.

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Minimal Intervention — The preservation principle that calls for undertaking only as much work as necessary to stabilize, repair, and maintain a historic property, avoiding over-restoration or unnecessary removal of historic material.

Non-Contributing Structure — A building, structure, object, or site within the Salem Historic District that does not add to the district's historic architectural or cultural character, because it was constructed after the period of significance, has been substantially altered, or does not retain sufficient historic integrity.

Period of Significance — The span of time during which a historic property or district attained the significance for which it is recognized. Typically defined in the historic district nomination or property inventory form.

Rehabilitation — The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values. One of four treatment approaches defined by the Secretary of the Interior's Standards.

Repointing — The process of removing deteriorated mortar from the joints of a masonry structure and replacing it with new mortar. Proper repointing uses mortar that matches the original in composition (typically lime-based), color, texture, and joint profile.

Restoration — The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. One of four treatment approaches in the Secretary of the Interior's Standards.

Reversibility — The property of a preservation treatment that allows it to be undone in the future without causing irreparable harm to historic fabric. Reversible treatments are strongly preferred under the Secretary of the Interior's Standards.

Secretary of the Interior's Standards — Federal regulatory principles (36 CFR Parts 67 and 68) governing the treatment of historic properties. The Standards for Rehabilitation (36 CFR Part 67) are the primary benchmark applied by the Salem HDC in reviewing COA applications.

Streetscape — The visual character of a street as defined by the combined effect of building facades, setbacks, landscaping, paving, lighting, signs, and other elements along the public right-of-way. Maintaining historic streetscape character is a primary goal of the Commission's review.

Vernacular Architecture — Buildings designed and constructed using local traditions, materials, and techniques without formal architectural training, reflecting the practical and aesthetic needs of a

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particular community, region, and time period. Much of Salem's historic district consists of vernacular residential and agricultural structures.

Visual Prominence — The degree to which a building element, material, or feature is visible from a public way. Elements with high visual prominence (primary facades) receive the greatest level of scrutiny in COA review. See Section 3.5.

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Appendix B: Secretary of the Interior's Standards for Rehabilitation (Full Text)

The following are the complete text of the *Secretary of the Interior's Standards for Rehabilitation*, codified at 36 CFR Part 67. These Standards are reproduced here for reference. They are applied by the Salem Historic District Commission as the primary benchmark for reviewing Certificate of Appropriateness applications.

Source: 36 CFR Part 67, as published by the United States Department of the Interior, National Park Service. The Standards are also codified at 36 CFR Part 68 (Standards for the Treatment of Historic Properties). For Historic Preservation Tax Incentive purposes, 36 CFR Part 67 governs.

Preamble: The following Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment, as well as attached, adjacent, or related new construction.

Standard 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

Commission Note: This standard encourages the continuation of historic uses and discourages conversions that would require the removal of character-defining features. Adaptive reuse for compatible new uses is supported when undertaken with minimal change to historic fabric.

Standard 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Commission Note: This is the foundational preservation standard. Proposals that require removal of character-defining materials or features face the highest burden of justification.

Standard 3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

Commission Note: "Faux-historic" additions that replicate historic styles without documentary basis, or that move architectural elements from other buildings, are inconsistent with this standard.

Standard 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

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Commission Note: Alterations made to a building in later periods may themselves have become historically significant. The Commission evaluates proposals to remove such changes with this principle in mind.

Standard 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

Commission Note: This standard protects not just forms and materials but also the evidence of historic craftsmanship — hand-planed siding, cut-nail fastening, traditional mortar joints — that gives historic buildings their authentic character.

Standard 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

Commission Note: This is the core of the "repair rather than replace" principle. Applicants proposing replacement of historic elements must demonstrate that repair was explored and found infeasible.

Standard 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

Commission Note: Sandblasting and high-pressure washing of historic masonry are specifically prohibited. Cleaning proposals should include the proposed method, solution, pressure, and evidence of prior testing on an inconspicuous area.

Standard 8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

Commission Note: Projects involving ground disturbance in the district should be evaluated for potential archaeological significance. Contact the NH Division of Historical Resources for guidance on archaeological surveys.

Standard 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Commission Note: This standard requires both compatibility AND differentiation — new work should be clearly of its own time while respecting the character of the historic resource.

Standard 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Commission Note: The reversibility standard. Additions must be designed so that their removal would leave the historic building intact and whole. This encourages the use of connector elements and minimal attachment points between new and old construction.

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Appendix C: Sample Certificate of Appropriateness Application

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This is a sample application form for reference purposes. The official COA Application Form is available from the Salem Planning Division, 33 Geremonty Drive, Salem, NH 03079, and at salemnh.gov. Submit completed applications to the Planning Division. Do not submit this sample form.

TOWN OF SALEM, NEW HAMPSHIRE

Historic District Commission

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

SECTION 1: APPLICANT INFORMATION

Applicant Name:

Mailing Address:

City / State / ZIP:

Phone Number:

Email Address:

Property Owner (if different):

SECTION 2: PROPERTY INFORMATION

Property Street Address:

Salem Tax Map / Lot:

Property Classification:

☐ Contributing ☐ Non-Contributing ☐ Unknown

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Approximate Year Built:

SECTION 3: DESCRIPTION OF PROPOSED WORK

Describe in detail all proposed exterior work, including location on the building, scope of work, and reason for the work. Attach additional sheets if necessary.

SECTION 4: MATERIALS

List all proposed materials, products, and finishes. Attach manufacturer's cut sheets and color samples as required.

Building Element	Existing Material	Proposed Material / Product	Color / Finish

SECTION 5: SUBMITTAL CHECKLIST

Check all items included with this application:

- ☐ Existing photographs (all elevations) ☐ Proposed drawings / elevations ☐ Site plan
- ☐ Material samples / cut sheets ☐ Manufacturer's specifications ☐ Color samples
- ☐ Lighting specifications ☐ Sign drawings ☐ Contractor qualifications

SECTION 6: APPLICANT CERTIFICATION AND SIGNATURE

I certify that all information provided in this application is accurate and complete to the best of my knowledge and belief. I understand that a Certificate of Appropriateness must be issued before any proposed work commences, and that work performed without a required COA constitutes a violation of Salem Code Chapter 230.

Applicant Signature

Date

*Submit completed applications to: Planning Division, Town of Salem, 33 Geremonty Drive, Salem, NH
03079 | salemnh.gov | (603) 890-2000*

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Appendix D: Useful Resources and Contacts

Town of Salem, New Hampshire

Office	Address / Contact	Services
Salem Planning Division	33 Geremonty Drive, Salem, NH 03079 Phone: (603) 890-2000 salemnh.gov	COA applications, HDC scheduling, zoning information, pre-application consultations
Salem Historic District Commission	Old Town Hall Museum 310 Main Street, Salem, NH 03079 salemnh.gov	COA review, design guidance, historic district information. HDC meeting calendar: salemnh.gov
Town of Salem Assessor's Office	33 Geremonty Drive, Salem, NH 03079 Phone: (603) 890-2000	Property tax information; historic property tax exemptions
Old Town Hall Museum	310 Main Street, Salem, NH 03079	Salem historical archives, Salem Historical Society, HDC meeting venue

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State of New Hampshire Resources

Organization	Contact / Website	Services
NH Division of Historical Resources (NHDHR)	19 Pillsbury Street, Concord, NH 03301 Phone: (603) 271-3483 nh.gov/nhdhr	State Historic Tax Credits; National Register nominations; Federal Historic Tax Credit program (in cooperation with NPS); archaeological surveys; technical assistance
NH Preservation Alliance	7 Eagle Square, Concord, NH 03301 Phone: (603) 224-2281 nhpreservation.org	Stewardship grants; technical assistance; preservation advocacy; educational programs; Most Endangered Properties list
Land and Community Heritage Investment Program (LCHIP)	54 Portsmouth Street, Concord, NH 03301 lchip.org	Matching grants for natural, cultural, and historic resource preservation projects in New Hampshire

National Resources

Organization	Website	Key Resources
National Park Service — Technical Preservation Services	nps.gov/tps	Preservation Briefs (48 technical guidance documents); Illustrated Guidelines for Rehabilitation; Secretary of the Interior's Standards; Historic Preservation Tax Incentives program
National Trust for Historic Preservation	savingplaces.org	Preservation advocacy; National Trust Preservation Funds; research and publications; Preservation Green Lab sustainability resources
National Register of Historic Places	nps.gov/nr	National Register nominations; historic context documents; research resources
Advisory Council on Historic Preservation (ACHP)	achp.gov	Federal Section 106 review; preservation policy; accessibility guidance for historic properties

Key Technical References

- **NPS Preservation Brief 1:** Cleaning and Waterproof Coating of Historic Masonry Buildings
- **NPS Preservation Brief 2:** Repointing Mortar Joints in Historic Masonry Buildings

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- **NPS Preservation Brief 9:** The Repair of Historic Wooden Windows
- **NPS Preservation Brief 14:** New Exterior Additions to Historic Buildings: Preservation Concerns
- **NPS Preservation Brief 32:** Making Historic Properties Accessible
- **NPS Preservation Brief 39:** Holding the Line: Controlling Unwanted Moisture in Historic Buildings
- **NPS Preservation Brief 45:** Preserving Historic Wooden Porches
- **Illustrated Guidelines for Rehabilitating Historic Buildings**, National Park Service, 2017

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Appendix E: Adoption Resolution

The following is the formal adoption resolution for these Design Guidelines. This resolution is to be executed by the Salem Historic District Commission and presented to the Salem Town Council for ratification as appropriate under Salem Code Chapter 230.

RESOLUTION OF THE SALEM HISTORIC DISTRICT COMMISSION ADOPTING THE SALEM HISTORIC DISTRICT COMMISSION DESIGN GUIDELINES

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WHEREAS, the Town of Salem, New Hampshire, established the Salem Historic District Commission pursuant to RSA 674:45–674:50 and Salem Code of Ordinances, Title X, Chapter 230, for the purpose of preserving the historical and architectural character of designated historic districts within the Town; and

WHEREAS, the Salem Historic District Commission is charged with reviewing applications for Certificates of Appropriateness for exterior alterations, new construction, and demolition within the Salem Historic District; and

WHEREAS, the Commission has determined that the adoption of formal Design Guidelines will promote consistent, transparent, and well-reasoned application of the Secretary of the Interior's Standards for Rehabilitation and the provisions of Salem Code Chapter 230 in its review of applications; and

WHEREAS, the Design Guidelines have been prepared with reference to the *Secretary of the Interior's Standards for Rehabilitation* (36 CFR Part 67), the National Park Service Illustrated Guidelines for Rehabilitating Historic Buildings, and the specific historic character and context of the Salem Historic District; and

WHEREAS, the Commission has reviewed the draft Design Guidelines and finds that they are consistent with the purposes of RSA 674:45, Salem Code Chapter 230, and sound historic preservation practice; and

WHEREAS, the Commission has provided opportunity for public review and comment on the draft Design Guidelines prior to adoption;

NOW, THEREFORE, BE IT RESOLVED by the Salem Historic District Commission, Town of Salem, New Hampshire, that:

12. The *Salem Historic District Commission Design Guidelines*, as presented and attached hereto, are hereby adopted as the official design guidelines of the Salem Historic District Commission.
13. These Design Guidelines shall be applied by the Commission in the review of all applications for Certificates of Appropriateness received on or after the date of adoption.
14. These Design Guidelines shall be made available to the public through the Salem Planning Division, the Old Town Hall Museum, and the Town's official website at salemnh.gov.
15. The Commission shall review these Guidelines periodically and may amend them as needed to reflect changes in preservation best practices, local conditions, or applicable law, following public notice and opportunity for comment.

DRAFT

ADOPTED by the Salem Historic District Commission at a duly noticed public meeting held on the _____ day of _____, 20____.

SIGNATURES:

Michael Banks Chair, Salem Historic District Commission

Date

Vice-Chair, Salem Historic District Commission

Date

Commission Member

Commission Member

Commission Member

Town Council Representative (if applicable)

Town of Salem Historic District Commission · 310 Main Street · Salem, NH 03079 · salemnh.gov

Town of Salem, New Hampshire

Salem Historic District Commission | Design Guidelines

Salem Historic District Commission

Town of Salem, New Hampshire

Preserving Salem's heritage for future generations.

Contact the Commission

Planning Division — 33 Geremonty Drive, Salem, NH 03079

Phone: (603) 890-2000

Website: salemnh.gov

Old Town Hall Museum: 310 Main Street, Salem, NH 03079

These Design Guidelines are adopted pursuant to RSA 674:45–674:50 and Salem Code of Ordinances Chapter 230.

They implement the Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 67).

Questions? Contact the Planning Division before commencing any exterior work within the Salem Historic District.



TOWN OF SALEM, NEW HAMPSHIRE

33 GEREMONTY DRIVE, SALEM, NH 03079

(603) 890-2120 · FAX: (603) 890-2220

Item #: 10(c1)

Department: Municipal Services Department

Prepared by: Wayne S. Amaral

Town Council Meeting Date: July 6, 2026

STAFF REPORT

PURPOSE:

☒ Information Only ☒ Discussion ☐ Action Requested ☐ Public Hearing

BRIEF SUMMARY:

The Municipal Services Director will give an update to the mandatory water restriction that was effective on May 15, 2026. See attached memorandum.

BACKGROUND:

Town Council voted on May 4, 2026, to implement a mandatory outdoor irrigation water restriction to address drought conditions in the region and the lower-than-expected Canobie Lake water levels at the start of this season.

BUDGET IMPACT:

☒ No budget impact ☐ Within approved budget ☐ New expenditure ☐ Grant-funded

ESTIMATED COST: n/a

FUNDING SOURCE: n/a

RECOMMENDATION / ACTION REQUESTED:

Discussion Only, No action required by Town Council.

ATTACHMENTS:

☐ Photos ☐ Contracts / Agreements ☐ Charts/Graphs ☐ Map
☐ Resolution ☐ Supplemental Reports ☐ Presentation ☒ Other

SALEM MUNICIPAL SERVICES

ENGINEERING ♦ PUBLIC WORKS ♦ UTILITIES
Wayne S. Amaral, Director



www.salemnh.gov

21 Cross Street
Salem, NH 03079
TEL: 603-890-2150

Memorandum

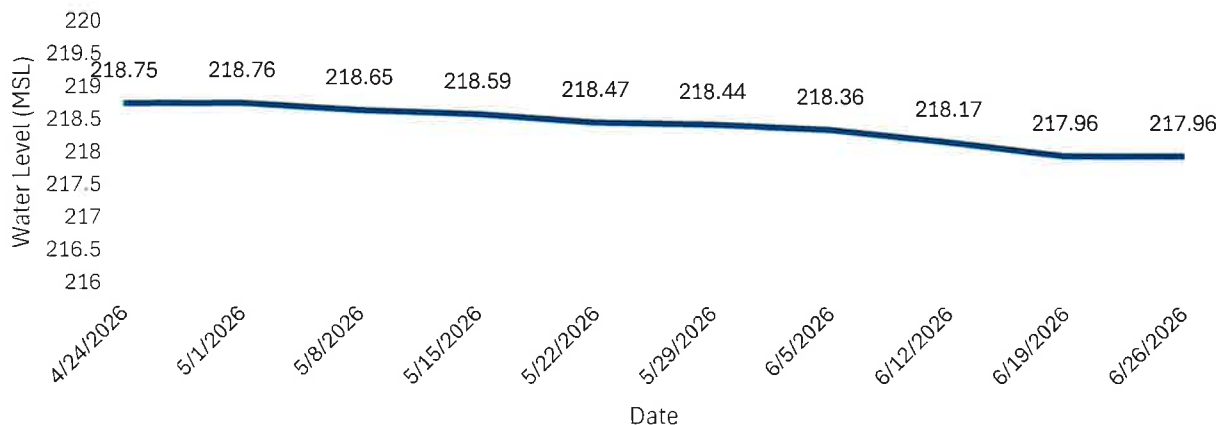
To: Town Council
Thru: Joseph Devine, Town Manager
From: Wayne S. Amaral, Municipal Services Director
cc: Frederick Wallace, Utilities Deputy Director
Kimberly Babaian, Business Manager
Date: June 26, 2026
Re: **Mandatory Water Restriction - Update #1**

On May 4, 2026, Town Council voted to implement a Mandatory Water Restriction effective May 15, 2026, to address the lower-than-expected water level of Canobie Lake at the start of the transition from Arlington Lake this year. This memorandum will give an update of our drinking water supply as we progress into the summer.

As previously mentioned, even though it appeared Salem received a considerable amount of precipitation this winter, we actual received only 14.81 inches since November 2025. The colder than average temperatures did produce extensive snow totals, however, the precipitation we received was misleading, as the snow was a more fluffy / smaller granular consistency type of snow. The actual precipitation produced from this past winter was inadequate to refill Canobie Lake to predicted levels.

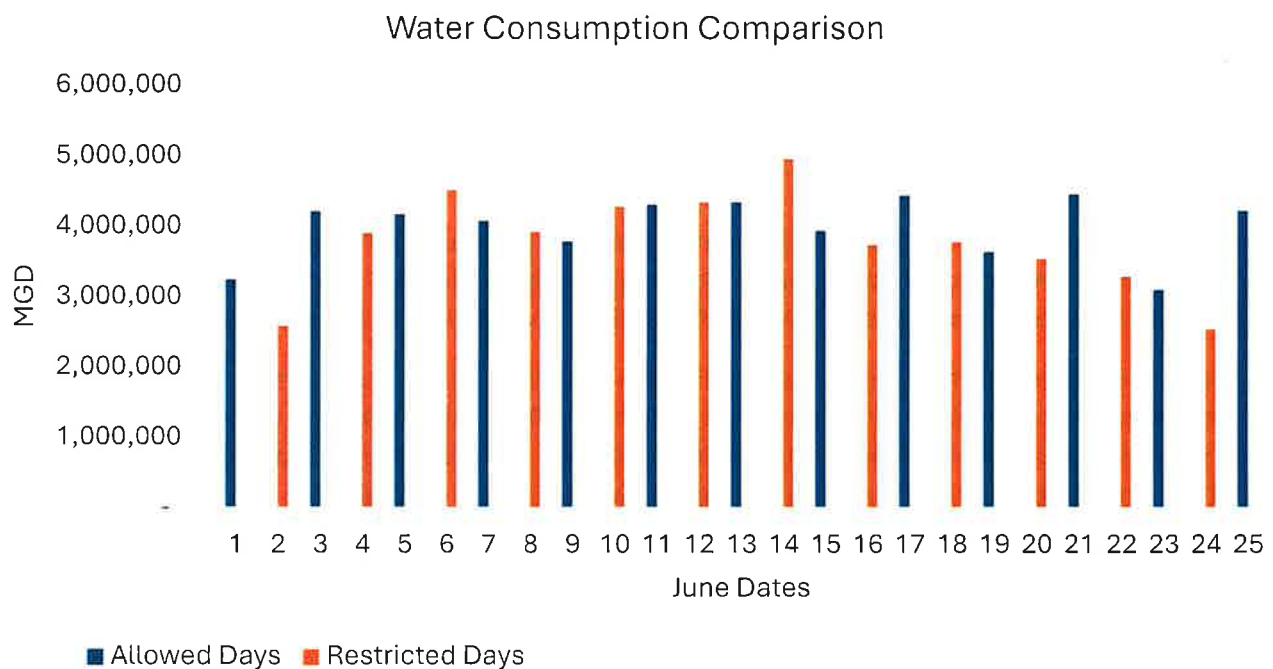
From the chart shown below, Canobie Lake's level was measured at 218.59 feet means sea level (MSL) on May 15, 2026, and as of June 26, 2026, the lake measured at 217.96 MSL, which is .63 feet lower than the effective water restriction date. With precise management of our regional water supply from Manchester by our water plant operators, we have been able to maintain Canobie Lake at a reasonable level as we enter into the hot summer months.

Canobie Lake Water Level Totals



Our Canobie Lake Reservoir Computer Model, which we use to estimate the predicted water levels of the lake during certain times of the year, shows that Canobie Lake should be at an acceptable level of 216.76 on September 21, 2026. This level will require us to continue the current mandatory water restriction into the fall.

From the chart shown below, we conducted a water consumption comparison to compare water restricted days versus non-restricted days. From this data we have observed a downward trend in water usage on the restricted days. This positive response to our water restriction is a result of our many Salem residents adhering to the restriction, but also to our Utilities Division staff who are working tirelessly to enforce the restriction.



Using software developed by our water meter vendor, we have been able to determine suspected violators to the restriction and have sent an estimated 200 warning notices to customers. These notices are friendly reminders that they may be in violation of the restriction. Not all of these customers were in violation, and they have and are welcome to discuss with staff and explain their situation. If their explanation is valid, this information is noted in the software, and the customer is removed from the suspected violator list.

As of today, we have not issued second notices. However, we will be using the software on a weekly basis to analyze the suspected violators and if the water usage remains higher than our reasonable threshold, second violation notices will be sent with a \$100.00 fine.

To summarize, our overall drinking water supply is still at a reasonably safe level as long as we continue to proactively manage our water system on a daily basis throughout the next few months. With the uncertainty of future precipitation, we must continue to conserve water as a community and always seek better ways to conserve this limited resource.



TOWN OF SALEM, NEW HAMPSHIRE

33 GEREMONTY DRIVE, SALEM, NH 03079

(603) 890-2120 · FAX: (603) 890-2220

Item #: 10(d1a)

Department: Municipal Services Department

Prepared by: Wayne S. Amaral

Town Council Meeting Date: July 6, 2026

STAFF REPORT

PURPOSE:

☒ Information Only ☒ Discussion ☐ Action Requested ☐ Public Hearing

BRIEF SUMMARY:

As a result of a recent motor vehicle crash, The Municipal Services Department has been requested to conduct an intersection safety review of the intersection of **North Main Street at Bluff Street and Bluff Street Extension.**

BACKGROUND:

MSD has been requested to review the safety of the above intersection. For a summary of this review, please see the attached memorandum dated June 22, 2026.

BUDGET IMPACT:

☒ No budget impact ☐ Within approved budget ☐ New expenditure ☐ Grant-funded

ESTIMATED COST: n/a

FUNDING SOURCE: n/a

RECOMMENDATION / ACTION REQUESTED:

Discussion Only, No Action required by Town Council

ATTACHMENTS:

☐ Photos ☐ Contracts / Agreements ☐ Charts/Graphs ☐ Map
☐ Resolution ☐ Supplemental Reports ☐ Presentation ☒ Other

SALEM MUNICIPAL SERVICES

ENGINEERING ♦ PUBLIC WORKS ♦ UTILITIES

Wayne S. Amaral, Director



www.salemnh.gov

21 Cross Street
Salem, NH 03079
TEL: 603-890-2150

Memorandum

To: Joseph Devine, Town Manager
From: Wayne S. Amaral, Municipal Services Director 
Date: June 22, 2026
Re: Intersection safety review for the intersection of North Main Street at Bluff Street and Bluff Street Extension.

On June 16, 2026, you requested that Municipal Services Department (MSD) review the intersection of North Main Street at Bluff Street / Bluff Street Extension, due to a recent crash. From your request, I conducted multiple site visits to observe the operation of this intersection.

From my observations, I found that traffic controls at this intersection are all in working order. Both yellow and red flashers are operating and the STOP signs posted on the minor approaches are visible without any obstructions. There are also advanced STOP ahead warning signs posted on both minor approaches to the intersection.

I was surprised to observe the higher-than-expected vehicle volumes on the minor approaches from Bluff Street and Bluff Street Extension. I observed about 40% of the total vehicle volumes entering this intersection were supplied by the minor approaches.

Please note, school was not in session at any of the times of my observations, so these observed vehicle volumes do not reflect a typical traffic day in town. If we were to proceed to evaluate this intersection, 48-hour vehicle volume data would be recommended. Any data collection should be collected once school returns in the fall.

Deputy Chief Smith from the Salem Police Department did supply crash data and crash summary information to me and the number of crashes is under the Manual of Uniform Traffic Control Devices (MUTCD) All-Way STOP threshold. The curvature of North Main Street as it approaches the intersection from the south does have limited sightlines for vehicles exiting Bluff Street Extension; however, there are still 200 feet to 250 feet of unobstructed sight lines.

Also note that high vehicle volume intersections like this intersection are expected to experience some crashes. However, the severity and the number of crashes reviewed demonstrate that this intersection is not an unsafe intersection.

The Town has made some improvements over the years at this intersection, including the resurfacing of the roadway which included brighter, more visible pavement markings. Mowing of ground cover / overgrowth at the approaches to the intersection are now on a routine schedule for cutting by the MSD.

From my review of this intersection, I conclude that this intersection is operating safely under the existing traffic controls. If you would like to have an intersection safety evaluation completed, MSD can perform this evaluation but would recommend doing so in the fall when more reliable data can be collected.



TOWN OF SALEM, NEW HAMPSHIRE

33 GEREMONTY DRIVE, SALEM, NH 03079

(603) 890-2120 · FAX: (603) 890-2220

Item #: 10(d2a)

Department: Municipal Services Department

Prepared by: Wayne S. Amaral

Town Council Meeting Date: July 6, 2026

STAFF REPORT

PURPOSE:

☒ Information Only ☐ Discussion ☐ Action Requested ☐ Public Hearing

BRIEF SUMMARY:

The Municipal Services Department has been requested to conduct a traffic safety evaluation of the intersection of Hampstead Road, Shannon Road, Town Farm Road, and Liberty Street, due to reports of recent crashes. From this evaluation it has been concluded that an All-Way Stop control is warranted at this intersection per MUTCD warrants. The Police Chief has authority to direct such a traffic safety improvement and has approved this recommendation.

BACKGROUND:

As a result of the above concerns, a traffic safety review of the intersection was conducted. A summary of this review and conclusion is outlined in the attached memorandum dated June 17, 2026.

BUDGET IMPACT:

☐ No budget impact ☒ Within approved budget ☐ New expenditure ☐ Grant-funded

ESTIMATED COST: \$3,500 - \$4,700

FUNDING SOURCE: 50130-4238 (Traffic and Street Signs.)

RECOMMENDATION / ACTION REQUESTED:

Discussion Only, No Action required by Town Council

ATTACHMENTS:

☐ Photos ☐ Contracts / Agreements ☐ Charts/Graphs ☐ Map
☐ Resolution ☐ Supplemental Reports ☐ Presentation ☒ Other

SALEM MUNICIPAL SERVICES

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Wayne S. Amaral, Director



www.salemnh.gov

21 Cross Street
Salem, NH 03079
TEL: 603-890-2150

Memorandum

To: Joseph Devive, Town Manager
From: Wayne S. Amaral, Municipal Services Director 
Date: June 17, 2026
Re: Intersection Safety Evaluation / All-Way Stop Request for the intersection of Hampstead Road, Shannon Road, Town Farm Road and Liberty Street.

In October 2025, the community requested the Municipal Services Department investigate the above intersection for a potential all-way stop sign installation. During that fall and subsequent winter, I inspected the intersection on multiple occasions to gain a better understanding of the traffic operations and determined, at that time, that more data would be required to conclude a thorough evaluation of the intersection.

Volume counts and crash data were collected over the past two months. With this data, and observations, conducted by myself and Salem Police Department, I have concluded and recommend that an all-way stop sign be installed at the above intersection.

Existing Conditions

The current four-way intersection consists of four streets, with Hampstead Road and Shannon Road classified as major approaches and Town Farm Road and Liberty Street classified as minor approaches.

The major approaches to the intersection are uncontrolled, while the minor approaches to the intersection have stop controls. All four roadways are two travel lanes wide with a double yellow center line.

Driver sight lines are obstructed for vehicles entering the intersection from Liberty Street, due to overgrowth of ground brush, trees and a utility on the northeast corner. Additionally, sight lines are also limited for vehicles entering the intersection from Town Farm Road due to the curvature of the Shannon Road approach.

Data Collection and Summary

In May 2026, 48-hour traffic volume and turning movement counts were collected by our vendor, Accurate Counts. Crash data was also reviewed and summarized by the Salem Police Department and this information / data was conveyed to me to include in this evaluation.

- **48-Hour Traffic Volume Counts.**

Vehicle volume counts were conducted by our vendor in May 2026. This collected data counted over 12,000 ADT (Average Daily Traffic) vehicles entering this intersection. From this

data, we concluded Hampstead Road and Shannon Road processes about 77% of the approach volume, while Town Farm Road and Liberty Street process the remaining 23% of the vehicle volumes entering this intersection.

- Peak Hour Turning Movement Counts.

From using the volume data collected above, we were able to determine the three peak one-hour turning movement volumes within the intersection. This data was used to determine the potential delays and conflicts that may occur.

- Crash Data Analysis.

The Salem Police Department reviewed 26 crash reports dated back from 2021 to present. This information was used to determine if any crashes could have been susceptible to correction by the installation of all-way stop controls.

MUTCD All-Way Stop Warrants

The Federal Manual of Uniform Traffic Control Devices (MUTCD) is the legal guidelines used to determine the appropriate traffic control on the roadway. Section 2B of this manual was used to determine if an all-way stop is warranted at this intersection. The five warrants were evaluated and if any of these warrants are satisfied, then an all-way stop may be installed. The warrants are listed below.

Warrant A: Crash Experience. This warrant was met.

Warrant B: Sight Distance. This warrant was met.

Warrant C: Transition to Signal Control. This warrant was not met.

Warrant D: 8-Hour Volume. This warrant was met.

Warrant E: Other Factors. This warrant was not met.

As shown above, three of the five warrants are met to support the installation of an all-way stop at this intersection.

Conclusion

In summary, the intersection of Hampstead Road, Shannon Road, Town Farm Road and Liberty Street does meet the MUTCD warrants for an all-way stop sign control. As a result, I recommend we install these additional traffic controls at the intersection.

If this recommendation is approved, most of the work can be completed in-house by town staff. The stop signs and advance warning signs must be ordered and stop lines can be installed when we start our pavement marking season. Replacing the yellow flashing lens, however, would require our signal vendor to perform this work. Some basic in-house engineering is required for design and layout of the proposed traffic controls for a full all-way stop intersection.

A negative result from this safety improvement is the expected delay that drivers will observe on the major approaches to the intersection. Both Hampstead Road and Shannon Road may experience long queues at this intersection at peak high vehicle volume times of the day.

Please note that an all-way stop will not eliminate all crashes at this intersection, but our primary goal to reduce the severity of crashes should be accomplished by installing this traffic safety improvement.

To: Salem Town Council
From: Joseph Devine, Town Manager
Date: July 6, 2026
Re: Town Manager's Report



MEMORANDUM



News and Noteworthy:

Community Choice Aggregation (CCA) Program Update

Salem's Community Choice Aggregation (CCA) Program continues to deliver significant savings to residents. The New Hampshire Public Utilities Commission recently announced Liberty Utilities' default electric supply rate of \$0.15835 per kWh effective August 1, 2026, through January 31, 2027. Salem's CCA rate will remain at \$0.11180 per kWh through October 31, 2027. As a result, participating customers will save more than 41% on the electric supply portion of their bill during this rate period. These savings build upon the more than 10% and 20% savings realized during the program's first two Liberty rate periods.

To ensure residents have access to the latest program information, the Town has updated the Community Choice Aggregation webpage with the new rates and additional program resources. As a reminder, residents may opt into or out of the program at any time without penalty or cost.

During the week of July 6, Freedom Energy will mail enrollment notices to approximately 1,700 new electric customers who have established service since the program launched. Similar to the initial program rollout, these customers will automatically be enrolled unless they choose to opt out. Existing CCA participants will not receive this mailing.

Looking ahead, Town staff has begun working with Freedom Energy to evaluate market conditions and prepare for the next electricity supply contract, which will take effect following the expiration of the current agreement in October 2027. As part of that process, staff will be seeking guidance from the Town Council on whether to include an optional "opt-up" product that would allow residents to voluntarily select a higher renewable energy content than the state minimum. Consistent with the Council's original direction when the program was established, the standard default option would continue to prioritize the lowest available cost for residents.

Regional Water Supply Update

As part of the Town's ongoing efforts to ensure a reliable and sustainable water supply, staff will be working with Manchester Water Works over the coming months to begin discussions regarding the Southern Interconnect Agreement (SIA).

Under the current agreement, Salem is in Year 8 of the contract. Beginning in Year 11, the water rate is scheduled to transition to Manchester's standard out-of-town rate. In advance of that change, staff intends to explore opportunities to renegotiate the future rate structure while also discussing the potential purchase of additional water through the regional interconnection.

Increasing the amount of regional water available to Salem would further diversify the Town's water supply and reduce reliance on withdrawals from Canobie Lake and Arlington Pond, particularly during periods of drought or elevated seasonal demand. This approach aligns with the Town's long-term water resource management strategy by strengthening system resiliency while helping preserve our local water resources.

Staff will keep the Town Council informed as discussions progress and will return with any proposed amendments or agreements requiring Council consideration.

Finance Committee – Fiscal Priorities for the FY2027 Budget

The Finance Committee held its inaugural meeting on July 1 and has begun its review of the FY2027 budget development process. As the Committee moves forward with evaluating departmental budget requests and the Town Manager's proposed operating budget, staff is requesting fiscal priorities and policy guidance from the Town Council to ensure the Committee's work remains aligned with the Council's budgetary goals.

As the Council considers its direction, it is important to recognize several factors that will influence the upcoming budget. The Consumer Price Index (CPI-U) for the Northeast region increased 5.0 percent for the twelve months ending May 2026, reflecting the continued inflationary pressures affecting goods and services purchased by municipalities. In addition, the Town is anticipating an approximate 15 percent increase in health insurance premiums, which will have a significant impact on personnel costs.

This evening, staff is seeking the Council's guidance regarding its overall fiscal priorities for the FY2027 budget, including expectations related to maintaining service levels, funding capital needs, and managing the overall tax impact. This direction will provide the Finance Committee with a clear policy framework as it continues its review and develops recommendations for the Town Manager's proposed operating budget.

Ermer Road Roundabout Project Update

Town staff attended the first bi-weekly construction coordination meeting for the Ermer Road Roundabout Project with the contractor, Busby Construction, and the engineering teams from TEC and VHB. These meetings will continue throughout construction to coordinate activities, address issues as they arise, and help keep this fast-track project on schedule for completion by the end of the year.

Construction activities are scheduled to begin on Thursday, July 2, with the installation of project signage. Variable message boards have already been placed and will be activated to provide motorists with advance notice of the upcoming construction.

During the week of July 6, the contractor will mobilize equipment and install erosion control measures throughout the project area. Beginning the week of July 13, the contractor will commence site preparation work and implement the project's traffic management plan, including lane shifts on Route 111. Motorists should expect increased congestion and travel delays as these activities begin.

Staff will continue to meet with the contractor and project engineers on a bi-weekly basis to monitor progress and promptly address any construction issues. Given the Town's strong working relationship with Busby Construction, staff is confident that concerns can be resolved quickly to maintain the project's schedule. In addition, I will continue to provide the Town Council with regular updates on the project's progress during our weekly Monday check-in meetings.

Bridge Street Bridge Replacement Project Update

Town staff held its bi-weekly construction meeting for the Bridge Street Bridge Replacement Project with the contractor, E.D. Swett, to review progress and discuss upcoming work. While the project has encountered several construction challenges related to water management, the contractor continues to anticipate substantial completion by the end of the year, weather permitting.

The most significant challenge remains the management of both river flow and groundwater, including an artesian well located within the project area. Recent weather patterns have produced several short-duration, heavy rainfall events, creating more difficult conditions than prolonged periods of light rain. In addition, continuous groundwater infiltration requires around-the-clock pumping operations. E.D. Swett has remained committed to maintaining these efforts, including overnight and weekend monitoring, to keep the project progressing safely and efficiently.

Despite these challenges, construction continues to advance. Sewer structures and piping are currently being installed, and the decorative stone-facing materials have arrived and are being prepared for installation. The west bank abutment concrete placement has been completed, with form removal scheduled for early next week. On the east bank, excavation for the sub-footing is underway, with the first concrete placement anticipated next week. Crews also continue to maintain erosion control measures and reinforce the project embankments.

Staff appreciates the contractor's continued dedication and responsiveness in overcoming the unique challenges presented by this project. We will continue to provide the Town Council with regular progress updates. Council members interested in touring the construction site are encouraged to contact my office, and staff would be happy to arrange an on-site visit.



WaterSmart Customer Portal

I would like to inform the Town Council and the public that the Town has made the decision to discontinue its subscription to the WaterSmart customer portal following a comprehensive review of the program's cost, customer participation, and overall value to our ratepayers.

The WaterSmart portal has provided customers with the ability to monitor water consumption, review usage history, and receive leak alerts. While these features have been valuable to those who utilized the service, customer participation has remained limited, with approximately **10 percent** of water customers enrolling in the program.

As part of the Town's ongoing commitment to fiscal responsibility and the prudent management of ratepayer funds, staff determined that the annual cost of maintaining the service is not justified by its current level of utilization. Discontinuing the program will allow the Water Division to redirect these resources toward the operation, maintenance, and improvement of the Town's water system, where they will provide a greater benefit to the community as a whole.

This decision reflects our continued commitment to evaluating Town programs and ensuring that public resources are invested where they deliver the greatest value to residents.

Items Signed on Behalf of the Town Council Since Last Update:

- Payroll Register No. 24 (06-15-26) - \$382,242.11
- Payroll Register No. 24v2 (06-15-26) - \$587.19
- Payment Check Register (06-16-26) - \$1,528,069.98
- Payment Check Register (VOID) (06-16-26) - \$300.00
- Payroll Register No. 25 (06-22-26) - \$617,285.60
- Payment Check Register (06-23-26) - \$286,127.89
- Payment Check Register (VOID) (06-23-26) \$343.00
- Payroll Register No. 26 (06-29-26) - \$387,437.05
- Payment Check Register (06-30-26) - \$8,663,375.76