



Sugar River Mill, Claremont

Reuse of Property

Many communities have property available for redevelopment and identifying the sites with residential reuse potential should be a priority for every local housing effort. Potentially suitable properties may be acquired by a municipality through purchase at fair market value, donation, brownfields remediation, negotiation, distress sale, foreclosure auction and through non-payment of taxes.

But even as communities may engage in thoughtful planning and allocation of resources, it is important to remember that most site redevelopment work will be done by the private market. This work may require zoning changes or special permits and calls for municipalities to be in communication with – and to be prepared to collaborate with – local developers.

Brownfield Sites

The New Hampshire Brownfields Program (RSA 147-F) is administered by the Department of Environmental Services (DES). The program was established in

1996 to encourage the voluntary cleanup and redevelopment of contaminated properties commonly called “brownfields.” Brownfields are typically properties that have been abandoned or underutilized due to environmental contamination. Historically, prospective new purchasers, financial institutions, and municipalities have avoided involvement with these properties because of the actual or potential liability for existing environmental contamination typically caused by former site owners or operators.

The Brownfields Program is designed to provide incentives in the form of liability protections for the investigation, cleanup, and redevelopment of contaminated properties by persons who did not cause or contribute to the contamination. This is accomplished under a process by which an eligible person can obtain a “Covenant Not to Sue” from the NH Department of Justice (DOJ) and a “Certificate of Completion” from the NH Department of Environmental Services when site investigations and remedial actions are performed



Brownfield Redevelopment, Newmarket

Brownfield Redevelopment — Newmarket

The Essex Mills were built more than 150 years ago on the Lamprey River in downtown Newmarket. Some of the Mill property was contaminated with hazardous materials over time and the town wanted to encourage cleanup and reuse of the structures.

After the environmental cleanup was complete, the property underwent redevelopment. The development includes 36 one- and two-bedroom condominiums. A grove of birch trees, riverview patios and a boat launch are located over formerly contaminated soil. A river walk along the Lamprey and full public access to the river is part of the project, and a bridge across the river connects residential units to downtown.

Contact Information:

Chinburg Properties
3 Penstock Way
Newmarket, NH 03857
603-868-5995
www.chinburg.com

in accordance with DES cleanup requirements. For most sites, this may involve complex issues that will require the assistance of legal counsel with expertise in environmental law and an environmental consultant.

Once the environmental and legal issues are addressed, the property will be available for redevelopment. In many cases the property can be obtained at little or no cost, and funding may be available to assist with the cleanup. New Hampshire's brownfield sites are often in very desirable locations such as our downtowns and adjacent to rivers, which can be attractive locations for additional housing.

Donated Land

The donation of land and buildings for affordable housing development, or their sale at below-market value, helps reduce the development cost and is one of the most valuable contributions a municipality or private property owner can make to help ensure the availability of affordable housing in the community. Land contributions for the development of affordable housing are valuable assets, especially in high cost areas. In communities across New Hampshire, residents, businesses, institutions, and others have donated sites for the construction of affordable housing. In some cases only a house is donated, with the stipulation that it be moved to another site. Many donated sites are only suitable for single units, but can occasionally accommodate more ambitious developments

Most communities have resources that could be made available for affordable housing, and when a municipality or private owner provides a site, the municipality has greater control over what is built, where (on the site), and by whom. A list of publicly-owned properties is available from your local tax assessor's office. If the municipality owns the property, it can make it available at no cost, or low cost, for low- or moderate-income housing units. If another government entity, such as the State of New Hampshire, owns suitable property in the community, local officials should spearhead efforts to acquire the property at a favorable price. Some churches and non-profit organizations are also interested in donating property and/or developing affordable housing for their constituents, or the general public.

Sometimes a donor will step forward in response to local media coverage about the lack of affordable housing in the community, or the efforts of a group working to address the issue. Some offers of land have come following a request from the regional vocational school seeking sites for a student-constructed home. Opportunities exist everywhere, but you need to plant the idea. The housing sponsors that have been most successful at obtaining donated sites are those that have mastered the art of outreach and communication. Donations also create an opportunity for federal tax deductions for the donors, and it is important to share this information with the community. Occasionally, surplus land can represent a major development opportunity for a community, as in the case of properties that had been held by the community for future municipal buildings or schools, but are no longer needed for that purpose. In such cases affordable housing will probably be just one of many, sometimes competing, reuse options. More often, though, available sites are much smaller, and residential reuse is the obvious choice. Many communities have contributed in this piecemeal fashion to create new housing units.

Tax Delinquent Parcels

Tax title properties are land and/or buildings that have been taken by the local government because the owners failed to pay their property taxes (tax default).

In many areas, tax delinquent properties are often vacant, substandard, or non-conforming lots. In New Hampshire's villages and downtowns they are much more likely to also involve abandoned and deteriorating structures. Frequently, properties taken-over for nonpayment of taxes are functionally obsolete or contaminated. Your community's strategy toward tax title properties will depend on the current inventory, as well as the history of tax delinquencies. Affordable housing proponents should be vigilant and knowledgeable about their local markets, and track properties that are in tax title and may be viable options for future housing projects.



Alder Meadow, Dover

The Alder Meadow Project — Dover

When Liberty Mutual Insurance decided to construct a new facility in Dover in 1996, the company needed to consolidate a number of existing lots into an appropriate site. Many of these lots were occupied by existing homes, so it was suggested that the homes be relocated to another parcel in town.

The City of Dover provided the necessary land, and placed the nine relocated homes on individual lots on Alder Lane, which the city was holding as a potential site for a new municipal facility. Instead, the city subdivided the parcel and created a lottery to by which residents seeking affordable housing could have a chance to purchase one of the homes. More than 40 families applied, and nine families were selected.

Contact Information:

City of Dover, Planning Department
288 Central Avenue
Dover, New Hampshire 03820
603-516-6000
www.dover.nh.gov



TIF District, Keene

Downtown TIF District — Keene

Created primarily as a downtown economic development tool, the Keene TIF district has helped retain businesses and create residential units in the downtown area. The TIF district was also the catalyst for construction of a new downtown parking structure.

The new parking structure, located on Wells Street, and the existing structure behind City Hall provide long term and metered parking. Both structures accommodate parking for residential units in the downtown area as part of their allocation of long term spaces. Without these facilities, many housing units located in the downtown area would not be able to provide necessary parking for residents.

Contact Information:

City of Keene, Planning Department
3 Washington Street
Keene, NH 03431
603-352-5474
www.ci.keene.nh.us

Tax Increment Financing (TIF)

Tax Increment Financing (TIF) can be a powerful tool for funding necessary infrastructure improvements. Until recently TIF districts were generally used by larger communities, but it is an equally, if not more, valuable technique for New Hampshire's smaller communities under the right circumstances.

A municipality creates a TIF district covering a specific geographic area and makes public improvements to help make the area more attractive for new or re-development projects. Improvements may include streetscapes, roadway projects, utility projects, parking structures, and more. As development occurs, the resulting increase in property tax revenues (the "tax increment") is used to directly pay for the cost of the improvements. Communities with abandoned mills, industrial properties, vacant upper stories and vacant school properties may find TIF useful for creating additional housing units.

More detailed information on TIF districts is available in the Appendix. [🏠](#)