

City of Keene  
New Hampshire  
BOARD OF ASSESSORS MEETING MINUTES

Thursday, September 5, 2019

2:30 PM

City Hall Committee Room

**Members Present:**

Joshua A. Greenwald  
Rita H. Johnson  
John T. Newcombe  
Daniel J. Langille, Chairman/City Assessor

**Staff Present:**

Diane C. R. Stauder, Assessment Tech.

Mr. Langille called the meeting to order at 2:30 PM.

Mr. Greenwald moved and Ms. Johnson seconded to accept the minutes of May 8, 2019. On a vote of 3-0, the Board approved the May 8, 2019 minutes.

Mr. Langille opened the Public Meeting by explaining the Board would make a determination on the application for tax exempt status before them today. Mr. Langille stated that, once decided, notification would be mailed to the property owner. Mr. Langille explained the Board's decision is final and, if the property owner is dissatisfied with the decision, an appeal may be filed with the Board of Tax and Land Appeals or with Superior Court.

The following property owners/representatives were present for the meeting:

**The Prospect-Woodward Home 194-202 Court St., #554012 and 95, 100 & 118 Wyman Rd., #221019, 221018 & 201010**

Attorney Thomas R. Hanna, representing the owner, and Ms. Nancy Crawford, Chair of the Prospect-Woodward Home Board of Directors, were present.

Mr. Hanna summarized the reasons an application for tax exempt status was submitted. He explained that requests for additional information were made by the Department of Assessment and he responded with detailed explanations of the request. He said the owners are prepared to pay a PILOT for this year, contingent on approval of the tax exempt application by the Board of Assessors. He explained the PILOT would go forward into the future and added that the 2019 semi-annual property taxes have been paid.

Mr. Hanna reviewed the history of the Woodward Home and Prospect Place, explaining they represent more than 100 years of serving the elderly of Keene and surrounding areas. The properties have outlived their functional qualities, he said, from the points of view of both code and the market. He explained there is an expectation of something different/better from the current elderly population. In looking toward the future, he said the two entities took a bold step in joining forces to become Hillside Village. Mr. Hanna explained, in order to do so, a "Sai Pre" petition was filed at the Registry of Probate in order to use the remaining endowment funds from Prospect Place as leverage for the financing of Hillside Village.

Mr. Hanna said Hillside Village is a lifelong care facility, geared for aging-in-place with dignity and guaranteed care, regardless of when the tenants' funds are depleted. There are various levels and sizes of apartments. He explained the costs of the Health Center will be subsidized by tenants by as much 50%, which he referred to as "Cost Shifting". Mr. Hanna explained the project requires a good deal of financial management and has been allowed under tax exempt cases. He also mentioned that the independent living units are the "money engine", guaranteeing the funding.

Mr. Newcombe asked what might happen to people of "lesser means" when their money is gone.

Mr. Hanna said in that situation, they would not be asked to vacate but may be asked to move to a smaller unit. A new tenant would pay the entrance fee and monthly fee for that larger (funding) unit. The tenant who was asked to move would never be asked to vacate Hillside Village; their tenancy is set.

Mr. Newcombe asked Mr. Hanna if assets are reviewed when someone applies to live there.

Mr. Hanna and Ms. Crawford replied, yes, assets are reviewed as part of the application process, but they noted that charity starts at the beginning.

Mr. Newcombe asked if an insurance company is involved.

Ms. Crawford explained Hillside Village is regulated by the State of New Hampshire. She added that tenants agree to be good stewards of their resources. Ms. Crawford noted that anyone is free to leave if they choose too. She said some tenants do have long term-care insurance but Hillside Village does not purchase long-term care insurance.

Mr. Newcombe pointed out that the Woodward Home was a place for those who could afford it.

Mr. Hanna replied that all who had resided at the Woodward Home were moved into the health care center at Hillside Village, continuing to pay what they did at the Woodward Home. Some of these residents are subsidized entirely, as they no longer have money, and they are permanent tenants at Hillside Village.

Mr. Newcombe asked about the entrance fee.

Ms. Crawford explained that the entrance fee is slowly being reduced by 2%/month, known as the Traditional Program, so it could run out. Another program allows for the refund of most of the entrance fee. The 90% Guaranteed Refund Program is designed, at any point, to return 90% of the entrance fee to the heirs of, or, to the tenant, if they choose to leave. The 90% Shared Program is for long-term care insurance tenants. The entrance fee refund is reduced by a monthly service fee.

Mr. Greenwald asked about the Second Person Entry fee. Mr. Hanna explained that person would receive equal benefits, paying a percentage of the first person's fee.

To clarify, Mr. Hanna explained that, regardless the entrance fee, monthly service fee and unit size, all are receiving the same standard of care.

Mr. Newcombe asked why there was an application for tax exempt status, being a part of the Keene community.

Mr. Hanna said that if approved, that is what the PILOT would cover.

Mr. Newcombe said he reviewed similar entities and feels this is most comparable to Rivermead in Peterborough, noting that they pay taxes.

Mr. Hanna said he doesn't believe Rivermead applied for tax exempt status. He went on to say that Hillside Village would not survive if it were not tax exempt. Ms. Crawford added that these are affordable units with continuing care, which are offered to as many people as possible.

Mr. Greenwald commented the entrance fee is the only hurdle, noting that it is a high amount.

Mr. Hanna said most people owned a home and are moving those assets into the entrance fee. All expenses, such as they had been paying for home ownership, are covered through the entrance fee, (property taxes, utilities, etc.), with the exception of cell phone costs, extra guest's meals, etc.

Mr. Greenwald said applicants would have to be prepared through smart financial planning (i.e., no mortgage, no reverse mortgage) in order to afford a place like this one.

Mr. Newcombe asked if Hillside Village is fully occupied.

Ms. Crawford said tenants began moving into Hillside Village in April and it is now 2/3 full. She said the average age of a tenant is 78 to 80.

Mr. Hanna noted that tax exempt status does not specify lower income tenants.

Mr. Langille, referring to the A-9 Tax Exempt application, noted there are four properties listed.

Mr. Hanna said they are no longer asking for tax exempt status for 118 Wyman Road. He said if tax exempt status is granted to the Health Center, it would not be fair to apply for both properties. If Hillside Village, known as 95 & 100 Wyman Road, were deemed tax exempt, the application for 194-202 Court Street (which was recently sold) would be withdrawn.

Mr. Langille asked the Board if they had any further questions.

Mr. Greenwald said he would like to hear Mr. Langille's opinion.

Mr. Langille said he had reviewed several similar court cases and feels this applicant with all of the information provided has met their burden in proving that 95 & 100 Wyman Road should be tax exempt, noting the exception of 118 Wyman Road (the former Miracles in Motion), which is not qualified.

Mr. Greenwald made a motion to accept the application for Tax Exempt status for 95 & 100 Wyman Road. Ms. Johnson seconded. Vote 3-0, unanimous.

Mr. Greenwald made a motion to accept the applicant's withdrawal of the 118 Wyman Road portion of the tax exempt application. Ms. Johnson seconded. Vote 3-0, unanimous.

Mr. Greenwald made a motion that 194-202 Court Street be made taxable for tax year 2019 as it was not used and occupied as a tax exempt entity in 2019. Ms. Johnson seconded. Vote 3-0, unanimous.

**Other Business:**

The meeting adjourned at 3:22 p.m. Mr. Langille advised the Board this is the final BOA meeting for 2019.

Minutes prepared by

Diane C. R. Stauder  
Assessment Technician

Reviewed and Approved by the Board of Assessors

Daniel J. Langille, CNHA  
City Assessor/Chairman, Board of Assessors