

# **BOARD OF ASSESSMENT REVIEW MEETING MINUTES**

**DATE: Wednesday, February 4, 2009**

**LOCATION: Municipal Court Room**

**MEMBERS PRESENT: Marilyn Sciarillo, Chairperson**

**Sandra Lueder**

**Cornelius Collins**

**TOWN ASSESSOR: Charles E. Vacca**

**Jennifer Misto, Account Clerk III**

**Meeting was called to order at 3:00 P.M**

**PETITION # 8 – Wesley, Joan K. A/P 070/007-1 9 Hesspar Drive**

**Homeowner Joan Wesley present with her husband, Woodford Cushman. The Assessor reduced the value of the building from \$252,300 to \$248,500 reducing their total assessment from \$394,300 to \$390,500.**

**Mr. Cushman built the home and they believe the building value should be \$184,000. (They are not contesting the land value of \$142,000.) They made comparisons to various homes in their**

**neighborhood. Stated the average assessment of the neighboring properties is \$331,988. They feel their home should be more in line with their neighbors, especially because their home is smaller.**

**PETITION # 9 – Hayes, William J. Rev Trust – A/P 185/21 – 2 Larkin Rd.**

**Mr. Stephen McAndrew was present on behalf of the homeowner. The Assessor reduced the land value from \$1,409,100 to \$1,352,800 reducing the total assessment from \$1,691,900 to \$1,635,600.**

**The homeowner believes a further reduction is warranted due to the following:**

- Small corner lot with tremendous amount of vehicular and pedestrian traffic during the summer**
  - Their view is distorted due to construction of the Voight property and the anticipated construction of the Waldo/Hennessey property**
- Homeowner feels a total assessment of \$1,482,800 to be fair.**

**PETITIONS FROM 2005- Hillandale Farm Trust – A/P 132/87 & 87-1 through 87-19**

**Court ordered case #2006-137 to be heard again before the Board of Assessment.**

**Attorney Kelly Fracassa, Mr. Stephen McAndrew and Mr. Lee Knight present.**

**Lee Knight presented the Board with the following overview of his position:**

- Assessor incorrectly valued the subject property as a Subdivision on 12/31/04.**
- Subject property was not a “legal” subdivision until 4/4/05.**
- Prohibited from selling any of the lots until all permits are received and the plan is recorded in the Town Clerks office.**
- Sited a letter from Attorney Jack Payne in which he mentions a conversation with the Assessor stating he would not tax subject property as individual lots.**

**Attorney Fracassa stated it was the Assessor’s duty to assess property in its existing condition as of 12/31/04. Restated they were prohibited from selling / marketing property until subdivision was stamped “approved”.**

**The Assessor inspected the subject property in December and found the installation of water lines, roadways, curb cuts, perk tests all had been done. No assumptions had been made on his part because it was far from being one lot. Everything was done as stipulated and approved in the plan presented to the Planning Board.**

**There is no further business before the Board at this time. Ms. Sciarillo adjourned the meeting. Decisions from today’s meeting are pending until the next meeting.**

**Respectfully submitted,**

**Marilyn Sciarillo**

**Chairperson**

**MS/jm**