

**Enfield Board of Selectmen
Enfield, New Hampshire**

MINUTES of June 27, 2005

Board of Selectmen: Dominic Albanese, Chairman; Nancy Scovner; Curtis Payne

Administrative Staff: Alisa D. Bonnette, Secretary; Norm Bernaiche, Assessor

Others: Dan Kiley, Joe Cote, Connecticut Valley Spectator.

CALL TO ORDER

Mr. Albanese called the meeting to order at 5:00 pm.

BUSINESS

The Board of Selectmen met with applicants for 2004 Property Tax Abatements. And considered applications for individuals that did not schedule an appointment to appear in person before the Board. The Board received a narrative prepared by Julie Huntley for each application.

Norm Bernaiche explained that any application, for which a decision is not made before July 1, is deemed denied by the Board of Selectmen. The Board may choose to grant an abatement after this date. The property owner does not lose the right to appeal the Board's decision.

Boghosian:

Two units, overall value of each property is deemed too high by the property owner. Property includes rental unit. No interior inspection was performed.

Mr. Bernaiche will make arrangements for an interior inspection. In the meantime, the application is deemed denied. However, there will be a good faith effort to provide an accurate assessment of the property. The Selectmen may still grant an abatement at a later date. The applicant retains the right to appeal to the Board of Tax & Land Appeals (BTLA) or Superior Court is they are dissatisfied with the Board's decision.

Crate:

Mr. Albanese moved to deny the Crate's abatement request, because they did appear for their appointment, and to concur with Norm Bernaiche's recommendation; Mrs. Scovner seconded, vote unanimous.

Hoots:

Application voluntarily withdrawn, but only verbally, not in writing.

Mrs. Scovner moved to deny the Hoots abatement because Mrs. Hoots has verbally withdrawn her application; Mr. Albanese seconded, vote unanimous.

Reynolds:

Mrs. Scovner move to deny Mr. Reynolds abatement application per Norm Bernaiche's recommendation; Mr. Albanese seconded, vote unanimous.

Paro:

This property is located on a Class VI road that is difficult to traverse during mud season. Mr. Paro was aware of this when he sought a building permit for a dwelling on this property.

Mr. Albanese moved to grant the reduction in Mr. Paro's assessment from \$51,000 to \$47,500; Mr. Payne seconded, vote unanimous.

Rich:

Mr. Rich presented comparables for his properties for consideration. Mr. Bernaiche and Mr. Rich discussed the comparables and their appropriateness, views and beach rights. Mr. Rich does not believe there are any errors on his card, but feels the values are too high.

Mr. Rich was asked to put in writing the information he presented at this meeting. Mr. Albanese moved to table Mr. Rich's abatement until Norm Bernaiche can do a new comp. And Mr. Rich can provide Mr. Bernaiche with the additional information he presented; Mrs. Scovner seconded, vote unanimous.

Green:

Overall grade of property deemed too high by owner. Mr. Bernaiche explained the value of overall design and appeal as compared to other properties. Owner contested an increase in assessment between a site visit, which resulted in its own increase, and the revaluation increase. Mr. Bernaiche explained that this contested increase was the result of a field review that did not include an interior inspection. Construction of the home was discussed.

Mr. Albanese moved to table the Green abatement request pending Norm Bernaiche's review of comparable properties; Mrs. Scovner seconded, vote unanimous.

Crystal Lake Association Meeting:

Mr. Albanese would like to meet with the members of the Crystal Lake Improvement Association when Norm Bernaiche can be there. A meeting will be arranged in July or August.

Laughlin:

Doublewide mobile home is coded as below average ranch. Value not contested. Mr. Bernaiche will be changing the coding on all doublewide mobile homes, but values will not change appreciably. Values are consistent with other doublewide mobile homes. This is merely a different label.

Mrs. Scovner moved to deny Mrs. Laughlin's abatement request per Norm Bernaiche's recommendation and to change the coding; Mr. Albanese seconded, vote unanimous.

Mascoma Heights Association:

The Association's beach property is not taxed separately, but other properties within the subdivision have added value. Separate tax bills are received for two other properties that are

considered common land by the Association. They are not requesting an abatement, but would like these properties to be treated the same as the beach property.

Discussion ensued regarding the status of these properties, the Association covenants, and the ability to sell the properties as separate lots.

Mrs. Scovner moved to table the Mascoma Heights Association abatement request until Norm Bernaiche has the opportunity to look into the mechanics of assessment of these properties; Mr. Albanese seconded, vote unanimous.

It was noted that it would be nice for the Association to know what the value of the beach property was. Mr. Bernaiche stated that the value individually on each lot is greater than the lot would be alone. It was remarked that it would be nice to at least have a note that indicates the value of the lot is divided among the Association members.

There was brief discussion of methods to clearly designate the two lots in question as common property among the Association members. A conservation easement was suggested.

Grant (Konior):

Owner believes waterfront listed on assessment exceeds actual waterfront. No survey was provided. Assessment card closely matches tax map. Mr. Bernaiche explained the process by which waterfront is valued. Owner was asked to send a quick email or letter with all of her information to the town. Owner also feels waterfront is over-valued in comparison to other properties in her area. Norm Bernaiche will take another look at similar properties.

Mr. Albanese moved to table Ms. Grant's request pending Norm Bernaiche's review; Mrs. Scovner seconded, vote unanimous.

Shaffer:

Quality and other factors questioned by owner. Mr. Bernaiche explained the value of construction, design appeal and curb appeal. This is one area in assessing where judgment comes to play.

The town received only the first page of an appraisal from Mr. Shaffer. The remainder of the appraisal was provided for Mr. Bernaiche's review.

An error in the number of bedrooms will be adjusted from 4 to 3. A deeded right-of-way must be considered, as well as intermittent daytime noise from the neighbors outside utilities, such as central vacuum, emergency generator, central A/C, etc.

Mr. Albanese moved to table Mr. Shaffer's abatement request pending review of the complete copy of the appraisal, correction of the number of bedrooms, right-of-way, and condition factor; Mrs. Scovner seconded, vote unanimous.

Auten:

Lower level over-assessed due to inability to list for sale as living area; is considered a finished basement.

Mr. Bernaiche explained that the value has been discounted 40% and if the cost per square foot is changed it would be artificially lowering the value.

Number of bedrooms and baths was discussed.

Discussed vacant lot, purchased from the town by sealed bid for \$10,000, now assessed at \$60,000. Following bidding, restriction that prohibits docks on the property. Mr. Bernaiche was unaware of this restriction. Additionally, there is no room to park a vehicle. Mr. Bernaiche will meet with Mr. Auten on Friday, July 1 to perform an interior inspection and view vacant lot.

Mrs. Scovner moved to table the abatement request pending an interior inspection of the dwelling; Mr. Albanese seconded, vote unanimous.

Darmstaedter:

Attorney Darrel Hotchkiss represented Mr. Darmstaedter who is out of town and unable to attend. Atty. Hotchkiss submitted the abatement application on Mr. Darmstaedter's behalf. Claims this property, inherited by Mr. Darmstaedter, is unbuildable. Lot has frontage on Crystal Lake, but is wet and unsuitable for a septic system. Believes value should be closer to \$30,000. Lot can be used to park on, put a tent on, walk to the lake, and dock a boat. Lot is most valuable to the neighbors, but they have no incentive to buy the property since it's unbuildable anyway.

Mr. Bernaiche explained that the factors applied were consistent with how other properties have been assessed. Lot is larger, though not quite as desirable. Waterfront is larger. Agreed it is not developable. Mr. Bernaiche explained how the value was determined.

Mr. Hotchkiss is unable to find a comparable since waterfront lots do not sell often.

Brief discussion regarding the possibility of a septic system on the property based on developments in design.

Mr. Albanese moved to table the Darmstaedter abatement request pending review by Norm Bernaiche; Mrs. Scovner seconded, vote unanimous.

Sanborn:

Multi-family dwelling. Owner concerned about land value and view value. Owner found disparity between the assessment of their land and others in the neighborhood.

Discussion ensued regarding the value of land on properties containing dwellings exceeding 4 units. Values on commercial assessments of multi-unit dwellings include a price per unit, price per room, price per bedroom, etc.

The view value includes a view of the lake. Mr. Sanborn provided pictures to show the view from each unit. Water is barely visible, if at all. Mr. Bernaiche explained that he did the assessment in the winter when there were no leaves on the trees. Based on the photos, Mr. Bernaiche has no problem removing the view.

Mrs. Scovner moved to remove the view factor on the Sanborn property; Mr. Albanese seconded, vote unanimous.

Mr. Albanese affirmed that Mr. Bernaiche feels the value is solid, but will remove the view factor.

Phinney:

Doublewide mobile home is coded as below average ranch. Mr. Bernaiche explained that he will be changing the coding on all doublewide mobile homes, but values will not change appreciably. Values are consistent with other doublewide mobile homes. This is merely a different label.

Discussed interior quality and wall covering – panel vs. sheetrock – and some confusion on the part of the owner as to how each is valued.

Mrs. Scovner moved to change the type of interior wall covering to plywood paneling; Mr. Albanese seconded, vote unanimous.

Mrs. Scovner moved to deny the abatement request with the condition that the coding be changed to a double-wide mobile home; Mr. Albanese seconded, vote unanimous.

Upon inquiry by Mrs. Phinney, Mr. Bernaiche explained that assessments are based on cost of building and a market adjusted cost approach. He explained the process, including depreciation and sales, with adjustment for topography, condition, views, etc...

Wilson:

The Wilsons did not attend this meeting. Mr. Bernaiche spoke with them and they find Mr. Bernaiche's recommendation acceptable.

Mrs. Scovner moved to accept Norm Bernaiche's recommendation to abate \$467.71 for the Wilson property; Mr. Albanese seconded, vote unanimous.

Faulkner:

Mrs. Faulkner's son, Alan Faulkner, appeared on her behalf to discuss three properties.

Map 28 Lot 28: Information is required to substantiate that this lot won't support a septic system.

Map 28 Lot 15: Was right-of-way (ROW) reduced to reflect the fact that it's just a big gully? Mr. Bernaiche agrees that access is difficult. Property has been reduced from 50% to 30%. Mr. Faulkner accepted Mr. Bernaiche's explanation.

Map 10 Lot 2A: Property is ½ of an island on Mascoma Lake. Discussed value of ½ an island versus a whole island; current assessment has it valued at 10% less. Arguments presented by all parties were valid. Mr. Bernaiche contends that while the area is less, the desirability of the property is high.

Mr. Albanese moved to deny the abatement request per Norm Bernaiche's recommendation for Marilyn Faulkner as presented by Alan Faulkner; Mrs. Scovner seconded, vote unanimous.

Esler:

Copies of letters sent to Julie Huntley were provided to the Selectmen. Cost per square foot, linear foot of waterfront and comparables were discussed. Mr. Esler read the points included in his letter. There is conflicting information in the square footage between the deed, tax map and assessment card. Mr. Bernaiche would like to look at the deed and a survey.

Mr. Esler contends that Lot 5 (Map 46) cannot be changed or improved due to its small size.

Discussion ensued regarding lots 7 and 7-1 (Map 46). Mr. Bernaiche explained that the value of lot 7-1 is based primarily on access to and view of the water.

Lot 6 (Map 46) was discussed. Mr. Bernaiche needs to look into Point #9 in Mr. Esler's letter.

Mr. Esler stated that this is a non-conforming lot. You can't get a well on the property because there is not enough room for a well, which must be 75' from any septic system. Mr. Bernaiche explained that the value was adjusted for not having a well. Mr. Bernaiche will check into the possibility of a hardship waiver for a well.

The Board took a two-minute break from 9:05 PM until 9:07 PM.

Lot 24 (Map 46) was discussed. Mr. Esler does not have a deed to the waterfront lots. Mr. Esler questioned it in 1994 when he received a bill for each lot individually rather than a single bill for all of the lots. The Selectmen recommended getting the deed fixed to reflect the correct ownership. Mr. Payne explained that Mr. Esler needs to "quiet title" and that a title search is needed.

Discussion ensued regarding the calculation of square footage. A survey would be required, but Mr. Esler has no deed to survey to. Mr. Esler said, "I knew in '94 I didn't own it." However he's used it for 30-40 years.

While the Selectmen want to get the assessments as accurate as possible, the burden is on the property owner.

Mr. Albanese moved to table Mr. Esler's abatement request. Mr. Esler is to provide a survey to the town and Norm Bernaiche is to look at the wetlands and drainage; Mr. Payne seconded, vote unanimous.

Schubert:

During a teleconference the Board discussed the hearth (resolved) and other technical errors. The lot is basically wooded and the surrounding properties are also wooded. This limits the view of the lake from the house to a portion of what it could be if neighboring lots were cleared; there is a straight view, but no peripheral view. Discussion ensued regarding changes in the view factor. Mr. Bernaiche and the Selectmen were agreeable to reducing the view factor from 5 to 4.

The condition factor was discussed. Mr. Bernaiche explained that the increase in the condition factor from .9 to 1.0 was because it had previously been incorrect. Adjustments may also have been made in the past due to the market crash in the '80's.

Mr. Schubert informed Mr. Bernaiche of when they would be in town over the next couple of months.

Mrs. Scovner moved to change the view factor to 4, resulting in an adjustment of the land value to \$141,000 and the building to \$156,500; Mr. Payne seconded, vote unanimous.

Other Abatement Applications:

Of the remaining applicants, none scheduled an appointment to meet with the Selectmen. Each of these applicants had been notified of Norm Bernaiche's recommendation.

Mrs. Scovner moved to accept Norm Bernaiche's recommendation on all the remaining abatement applications (Abington, Hoyt, Duato, Curri, Lewis, Lacroix, Schwartz, Nicodemus); Mr. Payne seconded, vote unanimous.

MS-5 Financial Statement:

The Board of Selectmen signed the 2004 MS-5 Financial Statement for submission to the NH Dept. of Revenue Administration.

Next Meeting:

The Board will meet on Wednesday, July 29, 2005 at 5:00 PM at the Public Works Facility to sign the abatements that Norm Bernaiche has had the opportunity to correct.

ADJOURNMENT

Mr. Albanese moved to adjourn at 9:45 PM; Mr. Payne seconded, vote unanimous.