

BOARD OF ASSESSMENT APPEALS

March 9, 2010

The Board of Assessment Appeals met on Tuesday, March 9, 2010. Members present were Stephen Palmer, Betty Richards and David Harma. The meeting was called to order at 7:00 p.m.

Meyer, Iris – 43 Gold Street

Ms. Meyer is appealing the assessment for development rights. She states she has already exercised her development rights by putting an addition on her unit so she should not be assessed separately.

DECISION: The Board voted unanimously to remove the assessment of \$101,200 for development rights.

Scott, Jennifer – 5 Bayberry Court

Ms. Scott feels very strongly that her property is over assessed but cannot afford an attorney to go to court. She values her property as of the assessment date at \$530,000. She stated that the comparable sales from the Assessor's Office use High Ridge and Wamphassuc sales which are not fair comparables. There has been a recent sale on Hatch Street. The house is very small and the buyers intend to add to the house. The sale price was \$470,000. Both properties have noise issues from the hotel across the cove. The sale has less waterfront but her waterfront is marsh and a hard topography. She believes the market did not drop enough from the assessment date to warrant the assessments. She feels this house would have sold for \$575,000 - \$600,000 in 2007. Other properties in the neighborhood were on the market at time of revaluation but did not sell even after sale prices were dropped well below the town value.

Coggs Hall Group LLC & Nicholas Utter – Riverwalk Condos

Mr. Utter and Mr. Woolrich appeared before the Board. The assessments went up 2 ½ times which he feels is unfair. He files his income and expense report every year but he does not feel the Assessor even looks at it. The rents were highest in the 1980s and have come down since. He states his units were never inspected. Units 19 & 22 are exactly the same but the assessments are different. Units 2 and 3 are mirror units and have different assessments also. Some of the efficiency units have higher assessments than the one bedroom units. The cost per square foot vary from \$112 - \$197. They compared the tax amounts relative to the town budget. His rents are subject to the market. He now receives \$500 - \$700 for efficiencies to one bedrooms.

Serafin, Peter – 5 & 7 Open Way

Mr. Serafin stated that #5 is not a 2 story house. The bathroom is not average; it has a stall shower only with no tub. There is no heat; just a wood burning stove. This house is a cottage not a conventional house. It is seasonal; the water gets shut off. It is rented out 10-11 weeks a year. #7 does not have access to the road; access must cross lot 5. A stone wall was built that limits the access to the water; the town built the wall illegally. He stated that the property is two lots not one. He is not on a town road. This property is strictly for income production.

Embree, Charles – 1 Whitehall Landing

Mr. Embree stated that his basement area is unfinished. The Assistant Assessor, Grey Hayes, inspected the property and agreed.

DECISION: The Board voted unanimously to change the basement area to unfinished.

Ozycz, Thom and Helene – 256 Osbrook Point

Mr. Ozycz stated the foundation for the addition was not in until after October 1st. He adjusted the street card to show the errors in the house information. He would like a correction for the wrong information. He spent \$10,000 for the foundation that was put in but he did the digging for the forms himself.

Sharp Shooter – Personal Property

Richard Roy appeared for the company. They filed their personal property declaration late due to a mishap in the mail room. The Board advised Mr. Roy that they do not have the authority to remove penalties per state statute.

DECISION: The Board voted unanimously to deny the petition.

Anya Larkin, Donald and Sally Vail, Gayle Wentworth and Consolidated Entertainment Group did not appear for their appointments.

The minutes for the March 8, 2010 meeting were accepted as amended.

There being no further business, the meeting was adjourned at 9:25 p.m.

Respectfully submitted,



Betty Richards
Secretary