

TOWN OF PROVINCETOWN
DEPARTMENT OF MUNICIPAL FINANCE - ASSESSORS' OFFICE

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Minutes of the
BOARD OF ASSESSORS MEETING
Town Hall, Thursday, September 5, 2002

- CALL TO ORDER:** The meeting was called to order at 9:00 AM by Chairperson Jack Kosko.
- MEMBERS PRESENT:** Mr. Kosko, Ms. Pam Parmakian, Mr. Steven Roderick, Ms. Leslie Parsons
- MEMBERS ABSENT:** Mr. Rick Tourgee (excused), Ms. Betty Newman (alternate)
- OTHERS PRESENT:** Staff: Mr. Dana Faris, Principal Assessor; Mr. John Warner, Assessing Department Clerk

MINUTES:

Ms. Parmakian moved, seconded by Mr. Roderick, to approve the minutes of the June 11 and June 18, 2002 meetings as written. The motion carried by a vote of 4-0.

PUBLIC STATEMENTS:

164 Bradford St.: Paul Benatti appeared before the board to speak to a pending abatement application for this property.

Due to the time constraints of the Board, Ms. Parmakian moved, seconded by Ms. Parsons, to take several agenda items out of order. The motion carried by a vote of 4-0.

NEW BUSINESS

Executive Session: At 9:15 AM, Ms. Parmakian moved, seconded by Ms. Parsons, to go into executive session for the purpose of reviewing abatement and exemption applications. The motion carried by a vote of 4-0. During the executive session, the Board rendered the following decisions:

Real Property Tax Abatements:

1. Welsh, Charles et ux, 8 Holway Ave. Based on this property's proximity to an illegal landfill at 9 Holway Ave., Mr. Roderick moved, seconded by Ms. Parmakian, to abate the assessed value to \$250,000. The motion carried by a vote of 4-0.
2. Flax, Donna, #3 AIR CD. Based on this property's proximity to an illegal landfill at 9 Holway Ave., Ms. Parsons moved, seconded by Ms. Parmakian, to abate the assessed value to \$160,000. The motion carried by a vote of 4-0.
3. Sants, James A., 16 Holway Ave. The constant flooding at this property has not been alleviated by the installation of the new catch basins. In addition, this property is in close proximity to an illegal landfill at 9 Holway Ave. Therefore, Ms. Parsons moved, seconded by Ms. Parmakian, to abate the assessed value to \$185,000. The motion carried by a vote of 4-0.
4. Guerreiro, Robert J. et ux, 7 Holway Ave. Based on the fact that this property directly abuts an illegal landfill, Ms. Parsons moved, seconded by Ms. Parmakian to abate the assessed value to \$180,500. The motion carried by a vote of 4-0.
5. Meads, Kathleen C., 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 George's Path. After discussion of these applications, the Board decided to take no action on them at this time.
6. 333 Commercial St. Trust, #R5 333 Commercial St. CD. Based on an inspection of this property, which revealed very poor interior conditions, Ms. Parmakian moved, seconded by Ms. Parsons, to abate the assessed value to \$193,800. The motion carried by a vote of 4-0.
7. Kane, Anne, 3 Webster Pl. The taxpayer called on 7/18/02 to say that she wanted to withdraw this application. Written confirmation has not yet been received. Therefore, the Board decided to take no action on it at this time.
8. Estate of Delphine M. Cabral, 164 Bradford St. Based on an inspection from July 2001, and an appraisal presented to the Board, Mr. Roderick moved, seconded by Ms. Parmakian, to abate the assessed value to \$599,000. The motion carried by a vote of 4-0.
9. Dogpatch Nominee Trust, #1 11 Standish Way CD. Mr. Kosko recused himself from the discussion of this application. Based on recent sales of comparable properties, Ms. Parsons moved, seconded by Ms. Parmakian, to abate the assessed value to \$373,500. The motion carried by a vote of 3-0-1.
10. Wright, Michael W., #2 11 Standish Way CD. Based on recent sales of comparable properties, Ms. Parsons moved, seconded by Ms. Parmakian, to abate the assessed value to \$385,000. The motion carried by a vote of 4-0.
11. Brannum, Joan, #1 General Store CD. A site inspection on 8/18/02 revealed poorer condition than previously noted on our records. In addition, the style was changed from apartment to basement. Based on these changes, Ms. Parsons moved, seconded by Mr. Roderick, to abate the assessed value to \$170,000. The motion carried by a vote of 4-0.
12. Shelvis Real Estate Trust, 12 Somerset Rd. Based on the topography of this property and expansive wetlands, Mr. Roderick moved, seconded by Ms. Parsons, to abate the assessed value to \$508,100. The motion carried by a vote of 4-0.

Ms. Parmakian moved, seconded by Mr. Roderick, to draft a memo to the Town Manager, Board of Selectmen, Board of Health and Building Commissioner to inform them of the abatements granted to several residents on Holway Ave. as a direct result of the illegal landfill located at 9 Holway Ave, and to outline the lost revenue for the town.

(Ms. Parmakian left the meeting at 9:50 AM.)

13. 144 Bradford St. Ext. Realty Trust, 144 Bradford St. Ext. After discussion of this application and review of current data on file, Mr. Roderick moved, seconded by Ms. Parsons, to abate the assessed value to \$899,000. The motion carried by a vote of 3-0.
14. 125 Bradford St. Ext. Realty Trust, 125 Bradford St. Ext. Based on an inspection on 9/4/02, which revealed a larger number of rooms with private baths than previously noted on our records, Mr. Roderick moved, seconded by Ms. Parsons, to deny this application. The motion carried by a vote of 3-0.
15. Seagull Realty Trust, 56 Shank Painter Rd. After discussion, the Board decided to take no action on

this application at this time.

16. Post Office Café Realty Trust, 303 Commercial St. After discussion, the Board decided to take no action on this application at this time.
17. 273 Commercial St. Realty Trust, 273 Commercial St. After discussion, the Board decided to take no action on this application at this time.
18. Tonga Trust, 361 Commercial St. After discussion, the Board decided to take no action on this application at this time.
19. China Trust, 361A-C Commercial St. After discussion, the Board decided to take no action on this application at this time.

FY 2003 Preliminary Personal Property Tax Abatements:

1. Ducharme Brian S., #4 Lilac Court North CD. The taxpayer is a year-round resident. The tax bill was issued in error. Therefore, Mr. Roderick moved, seconded by Ms. Parsons, to abate in full. The motion carried by a vote of 3-0.
2. Dubour, Michael A., #C 6 Mechanic St. CD. The taxpayer purchased this property after the assessment date. The tax bill was issued to him in error. Therefore, Mr. Roderick moved, seconded by Ms. Parsons, to abate in full. The motion carried by a vote of 3-0.
3. Maxfield, David A., 27 Franklin St. The taxable value of this personal property had been reduced to \$400 by abatement in FY 2001. This value is too low to generate a tax bill. The tax bill was issued in error. Therefore, Mr. Roderick moved, seconded by Ms. Parsons, to abate in full. The motion carried by a vote of 3-0.
4. Lohr, Michelle T., #1 Milhill CD. The taxpayer is a year-round resident. The tax bill was issued in error. Therefore, Mr. Roderick moved, seconded by Ms. Parsons, to abate in full. The motion carried by a vote of 3-0.
5. Riley, Lawrence, #2 444 Commercial St CD. This business ceased operation prior to the assessment date. Therefore, Mr. Roderick moved, seconded by Ms. Parsons, to abate in full. The motion carried by a vote of 3-0.
6. Thiebert Peter, 349 Commercial St. This business ceased operation prior to the assessment date. Therefore, Mr. Roderick moved, seconded by Ms. Parsons, to abate in full. The motion carried by a vote of 3-0.

Exemptions:

Mr. Warner presented the following applications for exemption under M.G.L. Ch. 59 § 5 with the following recommendations:

Clause 17D-Surviving Spouse/Elderly: There were two applications to consider for this period. One applicant has received this exemption in the past and meets the current requirements. Therefore, Ms. Parsons moved, seconded by Mr. Roderick, to grant this exemption. The motion carried by a vote of 3-0.

The second applicant filed an application for the first time this year. This applicant does not meet the requirements for this exemption. Therefore, Mr. Roderick moved, seconded by Ms. Parsons, to deny this application. The motion carried by a vote of 3-0.

Clause 41C-Elderly: There were three applications to consider for this period. Two applicants have received this exemption in the past, and both meet the current requirements. Therefore, Ms. Parsons moved, seconded by Mr. Roderick, to grant these applications. The motion carried by a vote of 3-0. The remaining applicant filed an application for the first time this year. The applicant does not meet the requirements for this exemption. Therefore, Mr. Roderick moved, seconded by Ms. Parsons to deny this application. The motion carried by a vote of 3-0.

At 10:10 AM, Mr. Roderick moved, seconded by Ms. Parsons, to come out of executive session. The motion carried by a vote of 3-0.

Motor Vehicle Excise Tax Abatements: Mr. Warner reported on the following applications for

abatement and recommended that they be granted:

- Partially abate 24 bills from 2001/2002 as a result of sales or trades of vehicles.
- Fully abate three bills from 2002 that were issued in error.

Mr. Roderick moved, seconded by Ms. Parsons, to grant these abatements in accordance with staff recommendations. The motion carried by a vote of 3-0.

Boat Excise Tax Abatements: Mr. Warner reported on the following applications for abatement and recommended that they be granted:

- Fully abate three bills from FY 2002 that were issued in error.

Mr. Roderick moved, seconded by Ms. Parsons, to grant these abatements in accordance with staff recommendations. The motion carried by a vote of 3-0.

Chapter 58, Section 8 Abatements: Mr. Faris presented the following abatement application to the Board:

Lower Cape Cod Community Development Corporation, 27 Nelson Ave. Ms. Parsons moved, seconded by Mr. Roderick, to petition the Department of Revenue for authority to abate the FY 2002 value to \$195,200 as a result of the 40-year deed restriction placed on this property stipulating that the owners provide affordable housing for year-round tenants. The motion carried by a vote of 3-0.

Additionally, Ms. Parsons moved, seconded by Mr. Roderick, to abate the preliminary FY 03 tax and land-bank surtax to \$633.32 for this property as a result of this affordable-housing deed restriction. The motion carried by a vote of 3-0.

CORRESPONDENCE: Mr. Faris reported on the following recent correspondence sent or received by the Assessors' Office:

1. A letter from Mr. Faris to John M. Reis, Trustee of Sanjo Realty Trust regarding a notice of Omitted Assessment for preliminary FY 03 tax on buildings 9, 10, and 11 at 24 Capt. Bertie's Way.
2. A memo from Mr. Faris to Mark Latour, Assistant Town Manager, regarding tax relief for providing affordable housing.
3. A copy of a memo from Mr. Latour to Keith Bergman, Town Manager, regarding the parking space and site plan update for Gardens Condominium located at 428 Commercial St.
4. A bulletin from the Department of Revenue giving future dates for Course 101.
5. A memo from the Board of Health to various town boards regarding redevelopment in Provincetown.
6. A copy of a press release regarding the airport closure and runway repairs.
7. A copy of a letter from Michael Bunn of the Provincetown Housing Authority to the Board of Selectmen regarding the Housing Authority's interest in acquiring the town-owned property at 100 Alden Street for affordable housing should it ever be declared surplus.
8. A memo from Mr. Faris to Mr. Bergman in response to a complaint filed by James McCollum of 28 Berry Lane regarding the assessment of his property.
9. A letter from Richard Faust, Assistant Assessor, to Stephen Smith regarding our inspection of his property located at 98 Commercial St.
10. A copy of a letter from Town Counsel to the Provincetown Planning Board regarding a potential ANR application for 52 Creek Rd.
11. A copy of a letter from Town Counsel to Mr. Bergman regarding the Route 6 layout discontinuance plan and order.
12. A letter from Atty. Ellen Rosenfeld to Mr. Faust enclosing a copy of the amendment to the Master Deed for Delft Haven I Condominium, which combines units 16A and 16B.
13. A letter from Mr. Warner to Robert Mancuso informing him of the time frame and deadline for filing real property tax abatement applications.
14. A memo from Mr. Faris to Wayne Perry of the Environmental Partners Group and Mark Latour providing the results of our inspections of 188 Commercial St., 6 Webster Pl. and 198 Commercial St.

15. Three invoices for copies of assessing department data.

OTHER/MISCELLANEOUS:

Assessing Team and Office News: There was no assessing team or office news that was not fully covered elsewhere in the minutes.

- **ADJOURNMENT:** There being no further business to come before the Board, Mr. Roderick moved that the meeting be adjourned at 10:45 AM and the meeting was adjourned.

Respectfully submitted:

Pam Parmakian, Clerk

Dana Faris, Principal Assessor

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