

# TOWN OF PROVINCETOWN

Minutes of the  
BOARD OF ASSESSORS MEETING  
Town Hall, Tuesday, October 17, 2000

The following minutes are available on-line as a service and are not the official record due to changes in formatting for the Internet. The minutes may have attachments that are not included here in this format. The official, complete paper copy can be viewed during regular office hours, Monday - Friday: 8 a.m. to 5 p.m. in the Office of the Town Clerk, 260 Commercial St. Provincetown, MA 02657.

**CALL TO ORDER:** The meeting was called to order at 9:00 AM by  
Chairperson, Alberta Romano.

**MEMBERS PRESENT:** Ms. Romano, Mrs. Lina Berry, Mr. Jack Kosko, Mr. Rick  
Blanchette

**MEMBERS ABSENT:** Ms. Pam Parmakian (excused), Ms. Leslie Parsons  
(excused)

**OTHERS PRESENT:** Staff: Mr. Dana Faris, Principal Assessor; Mr. John  
Warner, Assessing Department Clerk

## MINUTES:

Mrs. Berry moved, seconded by Mr. Blanchette, to approve the minutes of the September 28, 2000 meeting as written. The motion carried by a vote of 4-0.

## PUBLIC STATEMENTS:

Mrs. Sheila LaMontagne appeared before the Board to discuss the abatement application for her property at 111 Commercial St.

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

1. A memo from Mr. Faris to the Board of Selectmen regarding real property tax abatements granted to several residents on Holway Ave. as a result of the condition of the property at 9 Holway Ave.
2. A copy of a memo from Michael Fernandes, former member of the Water & Sewer Board and former Chair of the Provincetown Disability Commission, regarding problems in town government as he sees them.
3. A letter from Mr. Warner to Hugh Jones enclosing a personal property inventory for his property at #A1 Willows CD.
4. Several invoices accompanying copies of Assessing Department data.
5. A letter from Mr. Faris to Rachel Callahan of 25 Montello St. requesting additional information to accompany her application for a fiscal year 2000 exemption.
6. A letter from Mr. Faris to Anthony Joseph of 119 Bradford St. requesting additional information to accompany his application for a fiscal year 2000 exemption.
7. A letter from Mr. Faris to Mrs. Howard Adams of 5 Alden St. requesting additional information to accompany her application for a fiscal year 2000 exemption.
8. A memo to Mr. Faris from John Fitzgerald, Assistant Tax Collector, regarding rental payments made to the Town by Coastal Acres Campground.
9. A memo from Mr. Faris to Warren Alexander, Building Commissioner, regarding the status of the property located at 49A Pleasant St.
10. A memo from Mr. Faris to the members of the Board regarding FY'01 proposed values for residential properties and vacant land.
11. A memo from Mr. Faris to Steve Boggess including a breakdown of FY'00 taxes for his properties

at 291 & 293 Commercial St.

12. A memo from Judith Oset, Director of Regulatory Management, to Michael Bunn and Michelle Jarusiewicz relating the conservation status of 27 Nelson Ave.
13. A memo from Judith Oset, Director of Regulatory Management, to Michael Bunn and Michelle Jarusiewicz relating the historic status of 27 Nelson Ave.

## **OLD BUSINESS:**

**Appellate Tax Board Cases Update:** Mr. Faris reported on the following Appellate Tax Board cases:

1. Seagull Realty Trust, 56 Shank Painter Rd. Mr. Kosko moved, seconded by Mrs. Berry, to abate the FY'97 assessed value to \$2,763,360 in conjunction with a settlement agreement. The motion carried by a vote of 4-0.
2. Seagull Realty Trust, 56 Shank Painter Rd. Mrs. Berry moved, seconded by Mr. Kosko, to abate the FY'98 assessed value to \$2,836,080 in conjunction with a settlement agreement. The motion carried by a vote of 4-0.

In addition, Mr. Faris reported that he had received the stamped withdrawal notices from the Appellate Tax Board for the FY 97, 98, and 99 cases and a withdrawal of the FY 2000 abatement application in conjunction with the same settlement agreement.

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

1. Take One Enterprises, Inc, 293 Commercial St. Mr. Blanchette moved, seconded by Mr. Kosko, to petition the Department of Revenue for authority to abate an FY'00 personal property tax bill which was issued in error. The motion carried by a vote of 4-0.

## **NEW BUSINESS**

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

- Partially abate ten bills from 2000 as a result of sales or trades of vehicle

Mr. Blanchette moved, seconded by Mr. Kosko, to abate the above-referenced bills in accordance with staff recommendations. The motion carried by a vote of 4-0.

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

- Partially abate one bill from 2000 as a result of a sale
- Fully abate two bills from 2000 that were issued in error.

Mrs. Berry moved, seconded by Mr. Blanchette, to abate the above-referenced bills in accordance with staff recommendations. The motion carried by a vote of 4-0.

**Executive Session:** At 9:46AM, Mr. Blanchette moved, seconded by Mr. Kosko, to go into executive session for the purpose of reviewing exemptions, abatement applications, and proposed values for FY'01. The motion carried by a vote of 4-0. During the executive session, the Board took the following actions:

**Exemptions:** Mr. Warner presented the following applications for exemption under MGL Ch. 59 § 5 with the following recommendations:

**Clause 41A-Tax Deferral:** There were two applications to consider for this period. One applicant meets the requirements the requirements for this exemption. Therefore, Mrs. Berry moved, seconded by Mr. Kosko, to grant that exemption. The motion carried by a vote of 4-0. One applicant does not meet the requirements for this exemption. Therefore Mr. Blanchette, moved, seconded by Mrs. Berry, to deny that application. The motion carried by a vote of 4-0.

**Clause 41C-Elderly:** There was one application to consider for this period. The applicant meets the

requirements for this exemption. Therefore, Mr. Kosko moved, seconded by Mr. Blanchette, to grant this exemption. The motion carried by a vote of 4-0.

**Real Property Tax Abatements:**

1. Cape Cod Bank & Trust Co, 103 Shank Painter Rd. Mr. Kosko moved, seconded by Mrs. Berry, to abate the assessed value to \$546,500. The motion carried by a vote of 4-0.
2. Beach Point Realty Trust, 698 Commercial St. Mr. Kosko moved, seconded by Mrs. Berry, to abate the assessed value to \$3,627,500. The motion carried by a vote of 4-0.
3. Beach Point Realty Trust, 716 Commercial St. Mr. Blanchette moved, seconded by Mr. Kosko, to abate the assessed value to \$760,000. The motion carried by a vote of 4-0.
4. Malicoat, Conrad H. et ux, Cape Cod National Seashore. This property is a dune “shack” in the national seashore overlooking the Atlantic Ocean. The taxpayers’ situation is unique in that they have a deed to this 3-acre parcel of land. The Board found no basis for granting an abatement. Therefore, Mr. Kosko moved, seconded by Mr. Blanchette, to deny this application. The motion carried by a vote of 4-0.
5. Duby, Ronald S., #17 Delft Haven II CD. Based on a site inspection on 9/28/00, which disclosed a wood deck, second full bath and fireplace not previously noted yet a wrongly coded style, Mr. Kosko moved, seconded by Mr. Blanchette, to abate the assessed value to \$410,000. The motion carried by a vote of 4-0.
6. Mullen, Daniel A., 9-11 Commercial St. Based on a site inspection on 9/28/00, which confirmed fourth living unit, Mr. Blanchette moved, seconded by Mr. Kosko, to deny this application. The motion carried by a vote of 4-0.
7. LaMontagne Realty Trust, 111 Commercial St. Based on evidence reducing the lot size from 2052 sf. to 1140 sf., Mr. Blanchette moved, seconded by Mr. Kosko, to abate the assessed value to \$593,700. The motion carried by a vote of 4-0.
8. Hoffman, Susan, #2 Town Center CD. Mr. Kosko moved, seconded by Mrs. Berry, to deny this application. The motion carried by a vote of 4-0.
9. Malicoat, Conrad H. et ux, 308 Bradford St. The Board found no basis for granting an abatement. Therefore, Mr. Kosko moved, seconded by Mr. Blanchette, to deny this application. The motion carried by a vote of 4-0.
10. Malicoat, Conrad H. et ux, 310 Bradford St. The Board found no basis for granting an abatement. Therefore, Mrs. Berry moved, seconded by Mr. Blanchette, to deny this application. The motion carried by a vote of 4-0.
11. Malicoat, Conrad H. et ux, 320 Bradford St. The Board found no basis for granting an abatement. Therefore, Mr. Kosko moved, seconded by Mr. Blanchette, to deny this application. The motion carried by a vote of 4-0.
12. Malicoat, Conrad H. et ux, 320R Bradford St. Based on the addition of a site index for access via an old railroad right-of-way and lack of town services, Mr. Blanchette moved, seconded by Mr. Kosko, to abate the assessed value to \$294,100. The motion carried by a vote of 4-0.
13. Malicoat, Conrad H. et ux, 322 Bradford St. The Board found no basis for granting an abatement. Therefore, Mrs. Berry moved, seconded by Mr. Kosko, to deny this application. The motion carried by a vote of 4-0.

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At 10:36AM, Mr. Blanchette moved, seconded by Mr. Kosko, to come out of executive session. The motion carried by a vote of 4-0.

**OTHER/MISCELLANEOUS:**

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

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**Future Meeting Dates:** There will be a meeting of the Board of Assessors on **Thursday, October 26, 2000 at 9:00 AM.**

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**ADJOURNMENT:** There being no further business to come before the Board, Mrs. Berry moved that the meeting be adjourned at 10:36, and the meeting was adjourned.

Respectfully submitted:

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Lina Berry, Clerk

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Dana Faris, Principal Assessor

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