

Town of Londonderry  
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Board of Abatement Hearing Minutes January 4, 2015

Appellant: Bruno Brugnatelli

Parcel ID: 030010

In attendance:

Kelly Pajala, Tina Labeau, Paul Gordon, Steve Prouty, Jim Twitchell, Lenny Barclay, Lini Mazumdar, Suzanne Fontaine, Margaret Dawedeit, Wayne Blanchard, Cathy Aragi, Listers: Sandra Clark, Deb O'Leary, Dodie Crossman

The Clerk called the meeting to order at 6:34.

All of the Members of the Board of Abatement present were sworn in.

The Clerk called for nominations for a Chair of the Board of Abatement. Tina Labeau nominated Steve Prouty as chair. Nominations were closed. The Board unanimously elected Steve Prouty as Chair.

Sandra Clark announced the property owner and location: Mr. Bruno Brugnatelli Parcel ID #030010, 4.23 acres off of Rt 11 East on Bentley Drive.

The property owner presented information first. Mr. Brugnatelli was not present and did not send an agent to represent him. The Clerk handed out copies of Mr. Brugnatelli's letters dated November 9, 2015 and December 3, 2015 along with a copy of his 2015 tax bill, the completed information for Tax Abatement Appeals form, and the Clerk's letter of response dated November 12, 2015. A spreadsheet with the tax information for the years 2008-2015 with copies of the tax bills were handed out. The Clerk read both of Mr. Brugnatelli's letters out loud. The reason stated for the abatement request was manifest error on the part of the Listers. (See attachment 1)

The Board asked if Mr. Brugnatelli had provided the list of properties provided to him by his real estate agent to support his claim. There was no additional information provided to the Clerk. The Chair noted that the property owner was not present to answer questions or provide additional information.

The Chair called on the Listers to present information. On behalf of the Listers, Sandra Clark handed out a packet of information including a list of Grand List Assessments and Grievance status for 2008-2015, information on communication with Mr. Brugnatelli, rules for Board of tax abatement hearing, comments on criteria for manifest error, Mr. Brugnatelli's letter dated December 3, 2015, the completed

Information form for tax appeal, and a copy of the tax map of the property. Sandra read through the entire packet. She pointed out how much road frontage the property had and the existing driveway that cuts through the property. (See attachment 2)

The Board asked the Listers which abutter information was shared with Mr. Brugnattelli. The response was Pettit, Souza, Herzog. The board asked if they were comparable properties. The Listers said they were not comparable because they had houses on them and Mr. Brugnattelli's has not been developed. The listers stated that while land sales in the area might not be strong, land sales to abutters are quite strong at the moment. The Listers restated that Mr. Brugnattelli had paid his previous tax bills without grieving since 2011, when his property value was reduced. Sandra stated that if she felt there was a manifest error with the property the Listers office would fix the error immediately but felt that the appropriate time to address concerns with the assessed value is during grievance.

The Chair asked the Listers to excuse themselves and the Board went into deliberative session.

The Board came out of deliberative session.

Cathy Aragi made a motion that the Board of Abatement deny Mr. Brugnattelli's request to abate any of his taxes from 2008 to 2015 because there was insufficient evidence that the listers made a manifest error. Tina Labeau seconded the motion. The Board continued to discuss the motion and felt it was important to include in the motion that questions of assessment should be addressed during the grievance process. Cathy Aragi amended her original motion to say the Board of Abatement will deny Mr. Brugnattelli's request to abate any of his taxes from 2008 to 2015 because grievance procedures were not addressed at the appropriate time and he failed to provide sufficient evidence to prove an alleged error on the part of the Listers. Tina Labeau seconded the motion. The Board voted unanimously to approve the motion.

Tina Labeau made a motion for the Board to adjourn. Cathy Aragi seconded the motion. The Board voted unanimously to adjourn at 7:08 pm.

Respectfully Submitted January 6, 2016,

Kelly Pajala

Town Clerk

