

Madeline M. Kane and Robert J. Kane

v.

Town of Meredith

Docket No. 4117-87

DECISION

A hearing in this appeal was held, as scheduled, on February 16, 1989. The Taxpayers were represented by Robert J. Kane, one of them. The Town was represented by Wayne R. Peterson, Appraiser/Consultant, and Debra Pelczar, Assessing Coordinator.

The Taxpayers appeal, pursuant to RSA 76:16-a, the assessment of \$182,600 (land, \$160,500; building, \$22,100) placed on their real estate located on Bear Island for the 1987 tax year. The subject property consists of approximately 2.42 acre parcel of land with 265 feet of shore frontage on Lake Winnepesaukee and improved with a 20' x 40' camp.

Neither party challenged the Department of Revenue Administrations assessment-sales ratio of 96 percent for the 1987 tax year for the Town of Meredith. Based on that ratio the Taxpayers assessment equates to a market value of \$190,200 on April 1, 1987.

The Taxpayer argued the land was overassessed. The Taxpayer further argued the land was wet and that the camp was on the only area on the subject parcel that could be built on. The Taxpayer also argued a septic system acceptable to current standards might not be able to be built on the subject property.

The Taxpayer argued the subject property was highly overvalued for an unfinished summer cottage. Mr. Kane testified in his opinion the fair value

for

Madeline Kane and Robert J. Kane v. Town of Meredith

the subject property as of April 1, 1987, was approximately \$100,000 and further testified he based this opinion on a property acquired by his brother.

The Town argued the subject property was a single lot with no potential for subdivision. The Town also argued the rear portion of the subject land had problems with utility and that there was one acre of fully usable land.

The Board finds the Taxpayers did not present evidence of the fair market value of the subject property as of April 1, 1987. The Board finds the Town properly assessed the subject land accounting for its utility and also properly assessed the subject building.

The Board therefore rules the Taxpayers have failed to prove that the assessment is unfair, improper, or inequitable or that it represents a tax in excess of the Taxpayer's just share of the common tax burden. The ruling is, therefore: Request for abatement denied.

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

Anne S. Richmond, Esquire, Chairman

(Mr. Twigg did not sit.)
George Twigg, III, Member

Peter J. Donahue, Member

Date: 2/24/89

I certify that copies of the within Decision have this date been mailed, postage prepaid, Madeline & Robert J. Kane, taxpayers; and the Chairman, Selectmen of Meredith.

Michele E. LeBrun, Clerk

Date: 2/24/89

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