



Board of Assessors
Town Hall
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Billerica, Massachusetts 01821

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MINUTES
BOARD OF ASSESSORS MEETING
January 22, 2021
1:30 PM via Zoom

Meeting was called to order at 1:30 PM. Present were Principal/Chief Assessor and Chairman Richard Scanlon, Associate Assessor Kathy Matos and Associate Assessor John Speidel. The Board met via Zoom to comply with Town of Billerica public meeting regulations due to the COVID 19 Pandemic.

A Motion was made to Open the Meeting by Ms. Matos, seconded by Mr. Speidel. A Roll Call vote was taken on this Motion: Ms. Matos: Aye; Mr. Speidel: Aye; and the Chair Mr. Scanlon: Aye. The motion was voted unanimously 3-0. A Motion was also made by Ms. Matos to authorize the use of each Board member's signature stamp for the processing of all business by the Board at this meeting, seconded by Mr. Speidel. A Roll Call vote was taken on this Motion: Ms. Matos: Aye; Mr. Speidel: Aye; and the Chair Mr. Scanlon: Aye. The motion was voted unanimously 3-0.

FIRST ORDER OF BUSINESS – Acceptance of Minutes from the Last Meeting – Mr. Scanlon presented the Minutes for the September 4, 2020 and November 12, 2020 meetings for the Board's review. After consideration, Ms. Matos made a Motion to accept and approve both sets of Minutes. A Roll Call vote was taken on this Motion: Ms. Matos: Aye; Mr. Speidel: Aye; and the Chair Mr. Scanlon: Aye. The motion was voted unanimously 3-0.

PUBLIC COMMENT – Zoom Administrator Olivia Canario informed the Chair that no person appeared for Public Comment at this meeting.

SECOND ORDER OF BUSINESS – Announcement of Remote Participation by Associate Assessor Kathy Matos – Mr. Scanlon informed the Board that Ms. Matos had requested to participate remotely due to COVID precautions. The request was granted by the Chair.

THIRD ORDER OF BUSINESS – Consideration of Fiscal Year 2021 Real Estate Abatement Applications - There were no Fiscal Year 2021 Real Estate Abatement Applications acted on by the Board at this meeting.

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FOURTH ORDER OF BUSINESS – Consideration of Fiscal Year 2021 Personal Property Abatement Applications – There were no Fiscal Year 2021 Personal Property Abatement Applications acted on by the Board at this meeting.

FIFTH ORDER OF BUSINESS – Consideration of 2020 Motor Vehicle Excise Abatement Applications for Robert C. Smith, 12 Rolling Hill Road, Billerica MA, subsequent location: 22 Hawley Court, Grayslake, IL – Mr. Scanlon presented these MVE abatement applications for the Board’s consideration. The applicant was requesting the Board abate these bills due to his difficulty in getting plate cancellations in MA and registering his vehicles in IL due to the COVID pandemic. Mr. Scanlon read a letter from Mr. Hawley summarizing his reasons for abatement. The Board discussed the merits of his applications and how his request, regardless as to reason, deviates from standard reasons for granting a MVE abatement. Upon motion by Ms. Matos and second by Mr. Speidel, the Board voted 3-0 to deny these MVE abatement applications. A Roll Call vote was taken on this Motion: Ms. Matos: Aye; Mr. Speidel: Aye; and the Chair Mr. Scanlon: Aye. The motion was voted unanimously 3-0. Mr. Scanlon stated that he would have the clerks produce denials forms, and he would produce a letter of explanation as to why the Board issued these denials.

SIXTH ORDER OF BUSINESS – Consideration of Appellate Tax Board Settlements –
25 Linnell Circle
290 Concord Road
46 Manning Road
Cider Mill Property off Andover Road (pending – discussion only)

Mr. Scanlon presented settlement proposals on the above cases in order.

Regarding 25 Linnell, Mr. Scanlon informed the Board that the amount of exempt space in comparison with taxable space had changed with the owner (Middlesex Retirement System) leasing additional space to Valley Collaborative and the Billerica Public Schools (Project BEAM). A recalculation of the square footage dedicated to each resulted in the FY2020 assessed value being reduced from \$2,066,300 to \$1,506,300 for the taxable portion. The remaining assessed value is tax exempt. Brief discussion among the Board ensued. Mr. Scanlon stated that the agreement includes the same settlement terms for Fiscal Year 2021. After consideration, upon motion by Ms. Matos and second by Mr. Speidel, the Board voted 3-0 to approve this ATB settlement. A Roll Call vote was taken on this Motion: Ms. Matos: Aye; Mr. Speidel: Aye; and the Chair Mr. Scanlon: Aye. The abatement certificate as a result of the Board’s action in this case is public record and is available upon request at the Assessors’ Office.

Regarding 290 Concord Road, Mr. Scanlon informed the Board that the property owner (Farley White) had agreed to a multi-year settlement offer after long negotiations. The main reason for the appeals were due to on-going and continued 100% vacancy at this property that was previously occupied by Millipore. The vacancy is now over 3 years old even though concerted efforts have been made by the property owner and the Town to lease the building. The vacancy percentage in the income approach was increased to account for this settlement. For Fiscal Year 2019, the assessed value at \$13,385,900 was proposed to be reduced to \$11,043,200. For Fiscal Year 2020, the assessed value at \$12,919,600 was proposed to be reduced to \$10,427,800. Mr.

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Scanlon stated that there was no agreement for Fiscal Year 2021. The Board discussed the future of this property in light of the significant vacancy at Technology Park Drive and Town Meeting not supporting Mixed Use zoning to offer alternative uses. The future occupancy of this property will continue to be difficult, Mr. Scanlon stated. After consideration, upon motion by Ms. Matos and second by Mr. Speidel, the Board voted 3-0 to approve this ATB settlement as presented. A Roll Call vote was taken on this Motion: Ms. Matos: Aye; Mr. Speidel: Aye; and the Chair Mr. Scanlon: Aye. The abatement certificates as a result of the Board's actions in this case are public record and are available upon request at the Assessors' Office.

Regarding 46 Manning Road, Mr. Scanlon informed the Board this was a Fiscal Year 2019 appeal only. The appellant failed to file for Fiscal Year 2020. The appellant's appeal was based on vacancy, defaulted rents and sales of several buildings on Manning Road from 2017-2020 in the \$40/sf range. Mr. Scanlon reviewed the appellant's submitted data along with his own analysis. The settlement proposal is to reduce the Fiscal Year 2019 assessed value from \$2,289,800 to \$2,000,000. Mr. Scanlon stated that there is no agreement for the Fiscal Year 2021 assessed value. The Board briefly discussed the market conditions along Manning Road and the Middlesex Turnpike, noting the ongoing construction for Phase 3 of the Middlesex Turnpike Reconstruction Project. After consideration, upon motion by Ms. Matos and second by Mr. Speidel, the Board voted 3-0 to approve this ATB settlement as presented. A Roll Call vote was taken on this Motion: Ms. Matos: Aye; Mr. Speidel: Aye; and the Chair Mr. Scanlon: Aye. The abatement certificate as a result of the Board's action in this case is public record and is available upon request at the Assessors' Office.

Regarding the Cider Mill Property off Andover Road (pending – discussion only) – Mr. Scanlon updated the Board on the negotiations between the Town and the property owner Sunrise Development. The parties were close to a sale where a large majority (37 of the 45 acres) was being sold to the Town. He informed the Board that Sunrise had filed Fiscal Year 2020 appeals on the 3 parcels comprising this site. Once the closing takes place, both parties would have the framework of a settlement based upon the agreed upon sales price. Mr. Scanlon stated that the Board should expect a settlement proposal in the near future. No further Board action was taken on this agenda item.

SEVENTH ORDER OF BUSINESS - Ms. Matos motioned to adjourn the meeting, seconded by Mr. Speidel. A Roll Call vote was taken on this Motion: Ms. Matos: Aye; Mr. Speidel: Aye; and the Chair Mr. Scanlon: Aye. The Board approved unanimously, 3-0.