

BCA Hearing Kukulka

Date: 08/02/2022

Hearing time: 4:15 p.m.

Present: Larry Courcelle, Lindsey MacCuaig, Ann Singiser, Betsy Reddy, Jim Reddy, Val Taylor, Al Wakefield – BCA members, Spencer Potter – assessor, Nancy Gondella – Chair/Town Clerk, Jesse Bridge – Secretary/Assistant Clerk, Jeff Biasuzzi – Representation for Appellant

Call to Order: Nancy called the meeting to order at 4:15 p.m. Spencer and Jeff are sworn in.

Appellant Info: Marek & Laura Kukulka, 49 Helvi Hill Rd. **Parcel ID:** 03-01-30.010
Nancy asked if anyone needs to excuse themselves from the hearing due to conflicts of interest or ex parte communication, no one does.

Case Introduction: Spencer handed out the property card and introduced the subject property as a piece of land, 37.74 acres on Helvi Hill Road assessed at \$305,900, this property is enrolled in current use. (marked as Kukulka T1)

Appellant Testimony: Jeff passed out a packet market exhibits A1, A2, A3, A4 and introduced himself noting that he has been given authority as a consultant to speak on behalf of the owners of record. Exhibit A1 is the summary of his presentation. The first argument he would like to address is the error in the town's use and acreage determination. He brought up at the grievance hearing with Spencer a question about a 100' wide utility easement and has the town assessed this 1.3-acre portion of the property as restricted to be developed and physically unable to be developed. The second argument is the acreage should be 34.23 acres, and not the 37.74 acres the town has. The third argument is the FMV of comparable sales, for the grievance hearing he looked at sales in Pittsford and would want those considered as comparables again. He also would like to consider the sales in Mendon of a couple properties close by. He would like the BCA to consider the price per acre of the sales and evaluate the subject property similarly. They have less of a dispute with the assessment of the 2-acre homesite value but more with the rest of the 32.23 open land assessment.

Evidence Presented: Kukulka A1, A2, A3, A4

Assessor's Response: None

BCA Questions: None

Assessor's Testimony: Spencer presented one sale, which is the subject property, which sold in August 2019 for \$221,000, PTTR said 37.74 acres. (marked Kukulka T1)

Evidence Presented: Kukulka T1

BCA Questions: None

Appellant response: Jeff asked if Spencer had any clarification for the 100' corridor being assessed. Spencer replied that in his opinion the highest and best use of the property is a single-family residence with a very nice view, the utility corridor is near the road and in his opinion has negligible to zero effect on the value of the property. Jeff asked if he was correct in that Spencer hasn't walked the property and he hasn't seen it first-hand. Spencer replied correct, he has not walked the property or seen it first-hand.

Follow up: None

Inspection Committee Members: Jim, Val, Lindsey

Date of Inspection: Wednesday August 10, 2022 at 9:00am

There being no further business, the hearing was recessed at 4:45p.m. and will reconvene on Tuesday August 30, 2022 at 4:00pm.

Inspection Report: The hearing reconvened on August 30, 2022 at 4:00pm. Present at the hearing were, Al Wakefield, Betsy Reddy, Jim Reddy, Val Taylor, Lindsey MacCuaig, Ann Singiser, Larry Courcelle, – BCA members, Nancy Gondella – Chair/Town Clerk, Jesse Bridge, Secretary/Assistant Town Clerk, Jeff Biasuzzi – Representative for Appellants. Lindsey read the report which is attached to the minutes.

Discussion: There were no questions from the BCA. Jeff handed out an additional sheet with the two issues he wanted the BCA to consider. The hearing closed at 4:05pm.

Jesse Bridge – Secretary/Asst. Clerk

Nancy Gondella – Chair/Town Clerk