

2024 ABATEMENT REQUEST – Staff Notes

Map 169 Block 270 Lot 11 – Zayka Nicholas, Trustee

The property owner filed an application for abatement for 2024 based on the assertion that the assessment does not reflect market value due to a stated belief that the market value of the unit is \$2,450,000. The opinion of value was developed in an appraisal report completed for this property tax appeal. The appraiser has opined that the diminution of value for contaminated drinking water at the site is 35% of the total value of the property based on a serious environmental contamination that occurred in Hanover, NH in 2017.

The property is a single-family residential dwelling located at 13 Summit Avenue. This 3,536 square-foot one and one-half story home was constructed in 2003. It has a large porch and wood deck. A property inspection was made by Stephan Hamilton on June 8, 2023.

It has been determined that the property's well has had its water contaminated. The source of this contamination appears to be a nearby landfill operated by the City of Laconia. The water from the well is not fit for consumption. As a temporary measure, the property was provided bottled drinking water by the city, while the installation of a connection to the city water system was being made. No other measure is required or ordered by any public health agency other than non-use of the well water for consumption. Other properties in that locale have similar contamination, with similar resolutions, and there is no evidence that such a significant adjustment is appropriate. In fact, the home at 548 East Endicott Street sold for \$4,900,000 on July 23, 2021. While certainly larger, and having more waterfront recreational assets, this is clearly an example of the minimal impact of this type of contamination in this particular marketplace.

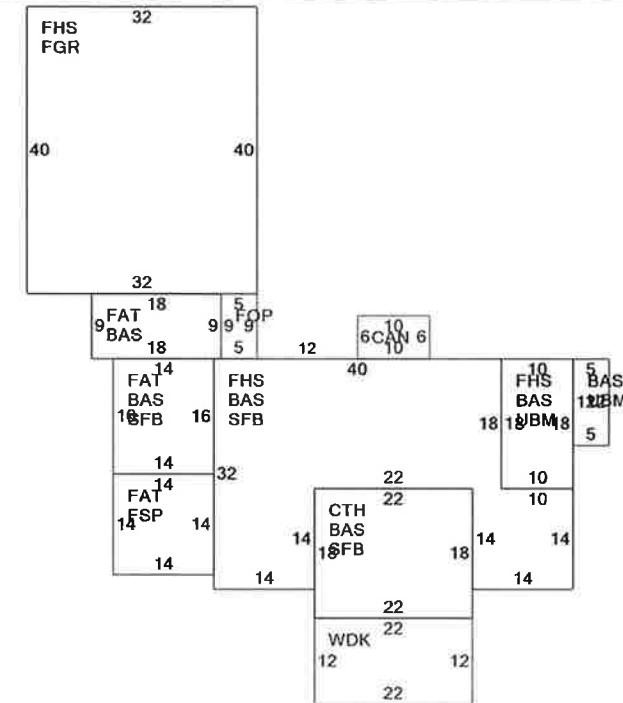
There is also an easement along the frontage of the lot on Summit Avenue granted to the property at 7 Summit Avenue. This easement was noted on the property record card, and a corresponding adjustment was made in the land valuation.

These limitations should be reflected in the land valuation estimate. The environmental condition caused the owner to have to utilize bottled water until the home was connected to the municipal water system before April 1, 2024. The driveway easement for 7 Summit Avenue limits the use and street presentation of the property. Together, a negative 10% adjustment has already been applied to the land valuation lines, but not the waterfront value line. No further adjustment is recommended.

It is recommended that the abatement request be denied and that the 2024 tax year assessment of \$3,136,800 be sustained.

CURRENT OWNER		TOPO		UTILITIES		STRT/ROAD		LOCATION		CURRENT ASSESSMENT													
ZAYKA NICHOLAS REV TRUST		4	Rolling	5	Well	1	Paved	2	Light	Description		Code	Appraised	Assessed									
ZAYKA NICHOLAS & WENDLER KELL										RESIDNTL		1013	776,900	776,900									
PO BOX 756												RES LAND		1013	2,357,300	2,357,300							
BOLTON MA 01740-0756		SUPPLEMENTAL DATA								RESIDNTL				1013	2,600	2,600							
		Alt Prcl ID 80C 270 4 OWNOCC N REVIEW ZONE 1 SFR ZONE 1 % 100 GIS ID 169-270-11				ZONE 2 SPOD ZONE 2 % 0 WARD WARD 6 Assoc Pid#																	
										Total		3,136,800	3,136,800										
RECORD OF OWNERSHIP			BK-VOL/PAGE		SALE DATE		Q/U	V/I	SALE PRICE		VC	PREVIOUS ASSESSMENTS (HISTORY)											
ZAYKA NICHOLAS REV TRUST			3579	0770	07-28-2023	U	I	999,000		0	38	Year	Code	Assessed	Year	Code	Assessed	V	Year	Code	Assessed		
ZAYKA NICHOLAS & CAROLYN A			1866	0080	04-03-2003	U	I	680,000		1		2024	1013	776,900	2023	1013	722,100	2022	1013	644,600			
MARTEL ARNOLD JR & SANDRA			1789	0817	09-13-2002	U	I			0	1		1013	2,357,300		1013	2,149,000		1013	2,005,800			
MRTEL ARNOLD			1678	0197	08-27-2001	U	I			0	1		1013	2,600		1013	2,600		1013	2,600			
SUCKOW ALFRED E			0732	0044	12-28-1977	U	I	0		0		Total	3,136,800	Total	2,873,700	Total	2,653,000						
EXEMPTIONS						OTHER ASSESSMENTS										This signature acknowledges a visit by a Data Collector or Assessor							
Year	Code	Description			Amount	Code	Description			Number	Amount	Comm Int	APPRaised VALUE SUMMARY										
													Appraised Bldg. Value (Card) 768,200										
													Appraised Xf (B) Value (Bldg) 8,700										
													Appraised Ob (B) Value (Bldg) 2,600										
													Appraised Land Value (Bldg) 2,357,300										
													Special Land Value 0										
													Total Appraised Parcel Value 3,136,800										
													Valuation Method C										
													Total Appraised Parcel Value 3,136,800										
ASSESSING NEIGHBORHOOD												VISIT / CHANGE HISTORY											
Nbhd	Nbhd Name		Cyclical Group			TIF District			ID Code			Date	Id	Type	Is	Cd	Purpost/Result						
0001			B									06-22-2023	SH			14	INSPECTED						
												08-12-2011	JD			25	REVIEWED						
												08-25-2008	CM			02	MEASURED						
												03-05-2004	TS			14	INSPECTED						
												02-11-2004	TS			02	MEASURED						
												04-03-2003	TS			15	PERMIT VISIT						
												08-18-1987	99			99	MMC INFO						
BUILDING PERMIT RECORD												LAND LINE VALUATION SECTION											
Permit Id	Issue Date	Type	Description		Amount	Insp Date	% Comp	Date Comp	Comments				Date	Id	Type	Is	Cd	Purpost/Result					
90-03	03-11-2003	07	NEW HOME		250,000	03-05-2004	100	11-04-2003					06-22-2023	SH			14	INSPECTED					
													08-12-2011	JD			25	REVIEWED					
													08-25-2008	CM			02	MEASURED					
													03-05-2004	TS			14	INSPECTED					
													02-11-2004	TS			02	MEASURED					
													04-03-2003	TS			15	PERMIT VISIT					
													08-18-1987	99			99	MMC INFO					
B	Use Code	Description		Zone	LA	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes				Location Adjustmen		Adj Unit P	Land Value		
1	1013	SFR WATER M		SPO			43,560	SF	2.30	1.00000	5	0.90	WN2	26.000	DRIVEWAY EASEMENT					1.0000	53.82	2,344,400	
1	1013	SFR WATER M		SPO			0.110	AC	5,000.00	1.00000	0	0.90	WN2	26.000	DRIVEWAY EASEMENT					1.0000	117,000	12,900	
1	1013	SFR WATER M		SPO			125.000	FF	0.00	1.00000	0	1.00	WN2	26.000						0.0000	0	0	
Total Card Land Units						1.11	AC	Parcel Total Land Area						1.11							Total Land Value		2,357,300

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd	Description	Element	Cd	Description	
Style:	07	Modern/Contemp				
Model:	01	Residential				
Grade:	07	Good +10				
Stories:	1.5	1 1/2 Stories				
Occupancy	1		CONDO DATA			
Exterior Wall 1	25	Vinyl Siding	Parcel Id		C	Ownne
Exterior Wall 2					B	S
Roof Structure:	03	Gable/Hip	Adjust Type	Code	Description	Factor
Roof Cover	03	Asph/F Gls/Cmp	Condo Flr			
Interior Wall 1	05	Drywall/Sheet	Condo Unit			
Interior Wall 2	03	Plastered	COST / MARKET VALUATION			
Interior Flr 1	12	Hardwood	Building Value New		882,962	
Interior Flr 2	14	Carpet	Year Built		2003	
Heat Fuel	02	Oil	Effective Year Built		2011	
Heat Type:	04	Forced Air-Duc	Depreciation Code		AV	
AC Type:	03	Central	Remodel Rating			
Total Bedrooms	06	6 Bedrooms	Year Remodeled			
Total Bthrms:	3		Depreciation %		13	
Total Half Baths	1		Functional Obsol		0	
Total Xtra Fixtrs	2		External Obsol		0	
Total Rooms:	11	11 Rooms	Trend Factor		1.000	
Bath Style:	03	Modern	Condition			
Kitchen Style:	03	Good	Condition %			
			Percent Good		87	
			RCNL		768,200	
			Dep % Ovr			
			Dep Ovr Comment			
			Misc Imp Ovr			
			Misc Imp Ovr Comment			
			Cost to Cure Ovr			
			Cost to Cure Ovr Comment			



Property Location 13 SUMMIT AV
Vision ID 8252

Account # 5577

Map ID 169/ 270/ 11/ /

Bldg # 1

Bldg Name
Sec # 1 of 1

Card # 2 of 2

State Use 1013
Print Date 02-28-2025 10:06:11

CURRENT OWNER			TOPO	UTILITIES		STRT/ROAD		LOCATION		CURRENT ASSESSMENT				<div style="display: flex; align-items: center; justify-content: center;"> <div style="flex: 1; text-align: left;"> <p>1501 LACONIA, NH</p> <p>VISION</p> </div> </div>						
<p>ZAYKA NICHOLAS REV TRUST ZAYKA NICHOLAS & WENDLER KELL PO BOX 756 BOLTON MA 01740-0756</p>			4 Rolling	5 Well	1 Paved	2 Light			Description	Code	Appraised	Assessed								
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															Total 3,136,800	Total 3,136,800				
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									Year	Code	Assessed	Year	Code	Assessed	V	Year	Code	Assessed		
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		2,600		1013	2,600			1013	2,600											
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NOTES																				
BUILDING PERMIT RECORD																				
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments				Date	Id	Type	Is	Cd	PURPOSE/RESULT			
LAND LINE VALUATION SECTION																				
B	Use Code	Description	Zone	LA	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes			Location Adjustment		Adj Unit P	Land Value	
Total Card Land Units						Parcel Total Land Area												Total Land Value		

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Exterior Wall 1	25	Vinyl Siding	Parcel Id	C	Owner 0.0					
Exterior Wall 2				B	S					
Roof Structure:	03	Gable/Hip	Adjust Type	Code	Description Factor%					
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			Condition %							
			Percent Good							
			RCNLD							
			Dep % Ovr							
			Dep Ovr Comment							
			Misc Imp Ovr							
			Misc Imp Ovr Comment							
			Cost to Cure Ovr							
			Cost to Cure Ovr Comment							
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)										
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
BUILDING SUB-AREA SUMMARY SECTION										
Code	Description		Living Area	Gross Area	Eff Area	Unit Cost	Undeprec Value			
WDK	Deck, Wood		0	264	26	16.01	4,227			
Ttl Gross Liv / Lease Area										

RECEIVED

FEB 27 2025

ASSESSOR'S OFFICE
LACONIA, NH

RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

080816 ✓

FOR MUNICIPALITY USE ONLY:

Town File No.: _____

Taxpayer Name: _____

SECTION A. Party(ies) Applying (Owner(s)/Taxpayer(s))

Name(s): Nicholas Zayka Trustee

Mailing Address(es): P.O. Box 756 Bolton, MA 01740-0756

Telephone Number(s): (Work) 978-779-6488 (Home) N/A

Note: If an abatement is granted and taxes have been paid, interest on the abatement shall be paid in accordance with RSA 76:17-a. Any interest paid to the applicant must be reported by the municipality to the United States Internal Revenue Service, in accordance with federal law. Prior to the payment of an abatement with interest, the taxpayer shall provide the municipality with the applicant's social security number or federal tax identification number. Municipalities shall treat the social security or federal tax identification information as confidential and exempt from a public information request under RSA 91-A.

SECTION B. Party's(ies) Representative if other than Person(s) Applying (Also complete Section A)

Name(s): Philip A. Brouillard, Esq.

Mailing Address(es): 16 Academy Street, Laconia, NH 03246

Telephone Number(s): (Work) 603-524-4450 (Home) N/A

SECTION C. Property(ies) for which Abatement is Sought

List the tax map and lot number, the actual street address and town of each property for which abatement is sought, a brief description of the parcel, and the assessment.

<u>Town Parcel ID#</u>	<u>Street Address/Town</u>	<u>Description</u>	<u>Assessment</u>
169/270/11	13 Summit Ave	L&B	3,136,800.00

WAS AN INVENTORY BLANK TIMELY FILED FOR THIS PROPERTY FOR TAX YEAR 20 ____ ?

YES ____ NO ____ N/A ____

SECTION D. Other Property(ies)

List other property(ies) in the municipality owned in the same name(s), even if abatements for the other property(ies) have not been sought. The taxpayer's entire real property estate must be considered in determining whether the appealed property(ies) is (are) disproportionately assessed.

<u>Town Parcel ID#</u>	<u>Street Address/Town</u>	<u>Description</u>	<u>Assessment</u>
NONE			

SECTION E. Reasons for Abatement Application

RSA 76:16 provides that an abatement may be granted for good cause shown. "Good cause" generally means: 1) establishing an assessment is disproportionate to market value and the municipality's level of assessment; or 2) establishing poverty and inability to pay the tax. This form can be utilized for either basis of requesting an abatement. The taxpayer has the burden to prove good cause for an abatement.

1) If claiming disproportionality, state with specificity all the reasons supporting your application. Statements such as taxes too high, disproportionately assessed or assessment exceeds market value are insufficient. Generally, specificity requires the taxpayer to present material on the following: (all may not apply):

1. physical data - incorrect description or measurement of property;
2. market data - the property's market value on the April 1 assessment date, supported by comparable sales or a professional opinion of value; and/or
3. level of assessment - the property's assessment is disproportionate by comparing the property's market value and the town-wide level of assessment.

Note: If you have an appraisal or other documentation, please submit it with this application.

2) If claiming poverty or inability to pay, state in detail why abatement of taxes is appropriate as opposed to some other relief such as relocating, refinancing or obtaining some alternative public assistance.
(See *Ansara v. City of Nashua*, 118 N.H. 879 (1978)).

(Attach additional sheets if needed.)

1. See Fair Market Value Appraisal Attached 2. See Easement Package Attached 3. See Water Contamination Packet Attached
Under RSA 76:16 any landowner can apply for tax abatement for diminution of value related to environmental contamination which the municipality can grant "for good cause shown" which is especially applicable in this case because the toxic contamination is from the former city landfill which the city does not intend to actively remediate. Toxic ground water from the city landfill represents a longterm, continuing source of ground water contamination that has caused the ground water resource at the site property to be unusable for the foreseeable future.
4. Lack of privacy from abutting new houses very close to subject and from boats that anchor in front of subject, raft for hours and clean their boats and swim.

SECTION F. Taxpayer's(s') Opinion of Market Value

State your opinion of the market value of the property(ies) appealed as of April 1 of the year under appeal.

Town Parcel ID # 169/270/11 Appeal Year Market Value \$ 2,450,000.00

Appeal Year Market Value \$

Explain the basis for your value opinion(s). (Attach additional sheets if necessary.)

1. See Fair Market Value Appraisal Attached 2. See Easement Package Attached 3. See Water Contamination Packaged Attached

Under RSA 76:16 any landowner can apply for tax abatement for diminution of value related to environmental contamination which the municipality can grant "for good cause shown" which is especially applicable in this case because the toxic contamination is from the former city landfill which the city does not intend to actively remediate. Toxic ground water from the city landfill represents a longterm, continuing source of ground water contamination that has caused the ground water resource at the site property to be unusable for the foreseeable future.

4. Lack of privacy from abutting new houses very close to subject and from boats that anchor in front of subject, raft for hours and clean their boats and swim.

SECTION G. Sales, Rental and/or Assessment Comparisons

List the properties you are relying upon to show overassessment of your property(ies). If you are appealing an income producing property, list the comparable rental properties and their rents.

(Attach additional sheets if needed.)

Town Parcel ID# Street Address Sale Price/Date of Sale Rents Assessment
See Fair Market Value Appraisal Attached

SECTION H. Certification by Party(ies) Applying

Pursuant to BTLA Tax 203.02(d), the applicant(s) **MUST** sign the application. By signing below, the Party(ies) applying certifies (certify) and swear(s) under the penalties of RSA ch. 641 the application has a good faith basis, and the facts stated are true to the best of my/our knowledge. *[Signature]*

Date: Feb 12, 2025

Mark Gold
(Signature)

(Print Name and Title)

Date:

(Signature)

Nicholas Zavka

(Print Name and Title)

SECTION I. Certification and Appearance by Representative (If Other Than Party(ies) Applying)

By signing below, the representative of the Party(ies) applying certifies and swears under penalties of RSA ch. 641:

1. all certifications in Section H are true;
2. the Party(ies) applying has (have) authorized this representation and has (have) signed this application; and
3. a copy of this form was sent to the Party(ies) applying.

Date: February 12/2025


(Representative's Signature)
Philip A. Brouillard
10 Academy Street
Print Name
Laconia, NH 03246

SECTION J. Disposition of Application* (For Use by Selectmen/Assessor)

*RSA 76:16, II states: the municipality "shall review the application and shall grant or deny the application in writing by July 1 after notice of tax date"

Abatement Request: GRANTED

Revised Assessment: \$ _____

DENIED

Remarks:

Date: _____

(Selectman/Assessor Signature)

(Selectman/Assessor Signature)

(Selectman/Assessor Signature)

(Selectman/Assessor Signature)

COPY CK 5151

Tax Collector
PO Box 489 45 Beacon St East
Laconia, NH 03247
www.laconianh.gov 1200

City of Laconia
Real Estate Tax Bill
2024 2nd Half Tax Bill

(603) 527-1269
8:30 - 4:30 Mon. - Fri.
Make Checks Payable To:
City of Laconia

Tax Year	Acct. No.	Bill No.	Bill Date	Interest Rate	Due Date
2024	5577	450935	12/09/2024	8% if paid after:	1/10/2025
Map/Parcel No.		Location of Property			Area
169/270/11		13 SUMMIT AV			1.11
Owner of Record		Tax Calculation			
ZAYKA NICHOLAS REV TRUST ZAYKA NICHOLAS & WENDLER KELLY A TRUSTEE PO BOX 756 BOLTON, MA 01740-0756		Prior Years Due	RECEIVED DEC 19 2024		
Tax Rate	Assessed Valuation				
City Tax Rate 5.440	Land Value 2,357,300				\$42,754.00
County Tax Rate 0.960	Building Value 779,500				\$19,986.00
Local School Rate 6.080	Total Value 3,136,800				\$22,768.00
State Ed. Rate 1.150	- Exemptions				
Total 13.63	Net Value 3,136,800		Amount to Pay		\$22,768.00

INFORMATION FOR TAXPAYERS

*Plus interest on Prior Years & July Bill if Applicable

1. Please use account number on checks and all inquiries. Payable to "City of Laconia."
2. REMITTAL PORTION MUST ACCOMPANY PAYMENT. Cancelled check is your receipt. If return receipt is desired send ENTIRE bill and a self-addressed stamped envelope. NO STAMP - NO ENVELOPE - NO RECEIPT.
3. Taxes are not considered paid until the check clears. A fee is charged on all payments returned for any reason.
4. The taxpayer may, by March 1 following the date of notice of tax, and not afterward, apply in writing to the Assessors for a tax abatement. Wait for December bill.
5. Valuation questions must be to Assessors (not Tax Collector) 603-527-1268.
6. You are responsible for forwarding your bill to your escrow agent. We suggest you make an extra copy for your records.
7. Interest and fees are collected first where applicable. Balance of payment will be applied to principal.
8. **Unpaid Accounts after January next year will be subject to tax lien and additional charges.**
9. There is a fee of \$1.00 per account for payment histories or research of records.
10. July tax = Valuation x 1/2 prior years rate. December tax = Valuation x current rate less amount of July bill.
11. Payment of this bill does not prevent collection of previous unpaid taxes nor does an error in name of person taxed prevent collection.
12. Tax year is April 1 to March 31. RSA 76:2
13. If you are elderly, disabled, blind, a veteran or surviving spouse of a veteran, or are unable to pay taxes due to poverty or other good cause, you may be eligible for a tax exemption, credit, abatement or deferral. Must be your primary residence to qualify.
For details and application contact the Board of Assessors, 45 Beacon Street E., Laconia, NH 03246, phone: 603-527-1268.
14. Credit cards are accepted online, in person, or by calling (855) 906-0411. Convenience fees are applied to all credit card transactions.

PLEASE KEEP THIS ENTIRE UPPER PORTION OF BILL FOR YOUR RECORDS.

TO INSURE PROPER CREDIT, RETURN ENTIRE BOTTOM PORTION OF BILL

attach here

Tax Collector
PO Box 489 45 Beacon St East
Laconia, NH 03247

City of Laconia
Real Estate Tax Bill

Prior Years Due *

FOR RECEIPT, PLEASE SEND A SELF-ADDRESSED STAMPED ENVELOPE WITH THE ENTIRE BILL

* Plus Interest

Map/Parcel No.	Location of Property	Tax Year	Acct. No.	Bill No.	Due Date
169/270/11	13 SUMMIT AV	2024	5577	450935	1/10/2025
8% APR Interest Charged After:	1/10/2025	Amount to Pay		\$22,768.00	

July Tax Balance

Net December Tax

\$22,768.00

Address Changes:

ZAYKA NICHOLAS REV TRUST
ZAYKA NICHOLAS & WENDLER KELLY A TRUSTEE
PO BOX 756
BOLTON, MA 01740-0756

PLEASE RETURN THIS REMITTAL PORTION WITH YOUR PAYMENT