



Town of Richmond, Rhode Island
Town Hall
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BOARD OF TAX ASSESSMENT REVIEW
MINUTES OF THE MARCH 17, 2022 MEETING

Board members Mark Reynolds, Kenneth M. Mitchell, and Kenneth G. Mason, Tax Assessor Carmen La Belle, and Town Solicitor Karen Ellsworth were present.

The meeting was called to order at 3:32 p.m.

The minutes of the June 28, 2021 meeting were approved.

K. Mason moved that the second, third, and fourth items on the agenda be considered out of order. K. Mitchell seconded the motion. K. Mason, K. Mitchell and M. Reynolds voted in favor of the motion.

Appeal of John and Cindy Duncan and WED Solar I, LLC. Property located at 421 Kingstown Road; Assessor's Plat 6E, Lot 35. Appeal of 2021 tax assessment.

Appeal of Rodney and E. Jo Hannuksela and WED Stilson Solar, LLC. Property located at 56 Stilson Road; Assessor's Plat 4B, Lot 43. Appeal of 2021 tax assessment.

Appeal of Norbert Ansay and GD Richmond Buttonwoods 1, LLC. Property located at 6 Buttonwoods Road, Assessor's Plat 4B, Lot 54.

Attorney Helen Anthony of Handy Law, LLC represented the appellants.

Ms. Anthony said that when solar energy equipment was installed on the three properties, the assessed value of the land underneath the equipment was increased for the sole reason that the equipment had been installed on it. She said that under state law, renewable energy resources only can be taxed according to a formula developed by state regulators. She said the increased assessment of the land under the equipment is illegal because it represents double taxation of the solar energy resources.

Ms. Anthony said previous appeals by all three appellants based on the same argument are pending in Superior Court, and an appeal filed against the Town of Lincoln that raises the same issue is pending in the R.I. Supreme Court. She also said legislation has been introduced in the General Assembly this year to establish a formula for assessing the land under renewable energy resources.

K. Mason moved that all three appeals be denied because the Town should continue to assess the property at the current rate until the Supreme Court renders a decision in the Lincoln case or the General Assembly adopts the pending legislation. K. Mitchell seconded the motion. K. Mason, K. Mitchell, and M. Reynolds voted in favor of the motion.

Appeal of Nicholas A. Solitro and Kristen Babowicz. Property located at 166 Dover Lane; Assessor's Plat 7D, Lot 1-46. Appeal of 2021 tax assessment.

Mr. Solitro said he believes his property is over-assessed in comparison to other homes in the same subdivision. He said every house in the subdivision other than his is a colonial. His house is a Cape Cod, and as a result it has less functional living space on the second floor. He also said the easement across the edge of his property and his steep driveway detract from the value of the property.

M. Reynolds said that the tax assessor's field card notes both the easement and the reduction in functional living area, and deductions in the assessed value are already made for both. M. Reynolds also noted that the other houses in the subdivision Mr. Solitro cited as comparable in value are one year older than his house, and as a result, the value of his house is depreciated by 5% while the value of the other houses is depreciated by 10%. M. Reynolds said that probably accounts for the difference in assessed value.

The Tax Assessor added that the depreciation tables set rates of depreciation in five-year increments, so Mr. Solitro's property will be depreciated by 10% next year.

K. Mitchell moved to deny the appeal. K. Mason seconded the motion. K. Mason, K. Mitchell, and M. Reynolds voted in favor of the motion.

The meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Kenneth G. Mason
Clerk, Board of Tax Assessment Review

Minutes posted XXXXXXXXXXXX XXX , 2022 in the Richmond Town Clerk's Office and filed electronically on the Secretary of State's website in accordance with the Open Meetings Act.