



*TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-8064
Fax: 603/868-8033*

ABATEMENT RECOMMENDATION

DATE: June 15, 2026

TOWN OF: Durham

TO: Town Council

FROM: Darcy Freer, CNHA

OWNER: Prescott Family Trust
50 Little River Road
Kingston, NH 03848

REPRESENTATIVE: N/A

PROPERTY LOCATION: 265 Durham Point Road, Durham, NH 03824

PID: 227-3

PROPERTY TAX YEAR(S) APPEALED: 2025

APPLICATION FILING DATE: 2/27/26

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$944,100

Municipalities may abate taxes “for good cause shown.” RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property’s “equalized assessment” exceeded the property’s market value. To calculate the equalized assessment, simply divide the assessment by the municipality’s equalization ratio (assessment ÷ ratio). Because a property’s market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**



REASON FOR APPEAL: The owner has applied for an abatement of their 2025 property taxes because they state that the land assessment of \$944,100 exceeds market value. They cite the sale of 26 Colony Cove.

ASSESSORS COMMENTS: The subject property is a camp which is situated on 0.71 acres of land, with approximately 152' of frontage on Little Bay. The home was constructed in 1958, has 624 sf of living area above grade and is considered to be in average condition relative to its age.

A full interior and exterior inspection of the property was performed on 4/21/2026 to confirm and/or correct all data points on the property record card. A very small dimensional change was made to the sketch, resulting in a minor negative adjustment to the property value.

The applicant provides 26 Colony Cove Road as a comparable property. This property sold after our date of value and was not included in the analysis. When reviewing sales after the date of value, the most recent and relevant sale would be the sale at 263 Durham Point Road. This property sold for \$1,695,000 and is located directly in the subject's subdivision neighborhood. While this sale is a year-round residence and is larger in living area size, the lot size is almost identical to the subject, and as such would support the much lower assessment of the subject.

RECOMMENDATION: Considering the sale at 263 Durham Point Road, and after thoroughly reviewing the sale property, including all elements of value, this property appears to be consistently assessed. Based upon this and the above information, I recommend reducing the overall assessments from \$944,100 to \$943,900 and granting the abatement for the assessed value differences of \$200. This calculates to an abatement of **\$4.08** including interest (interest is calculated to a repayment date of July 10, 2026, and is subject to change per tax collector). If the taxes have not been paid, then no refund or interest is due.

RECEIVED
Town of Durham
FEB 27 2026
Planning, Zoning
and Assessing

FOR MUNICIPALITY USE ONLY:
Town File No.: <u>25-48</u>
Taxpayer Name: <u>Prescott</u>

RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): PRESCOTT FAMILY TRUST, RUSSELL & SUSAN PRESCOTT
Mailing Address: 50 LITTLE RIVER ROAD KINGSTON, NH 03848
Telephone Number(s): (Work) CELL 603-231-7822 (Home) _____

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): _____
Mailing Address: _____
Telephone Number(s): (Work) _____ (Home) _____

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>
<u>1758</u>	<u>265 DURHAM POINT ROAD</u>	<u>CAMP</u>	<u>944,100 TOTAL</u>
<u>227-3</u>			<u>893,400 LAND</u>

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>

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. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

See attached sheet

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# 1758 Appeal Year Market Value \$ 665,793

Town Parcel ID# _____ Appeal Year Market Value \$ _____

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

SEE ADDITIONAL SHEET

SECTION G. Sales, Rental and/or Assessment Comparisons

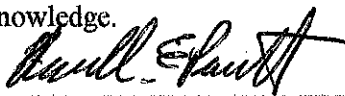
List the properties you are relying upon to show overassessment of your property(ies). If you are appealing an income producing property, list the comparable rental properties and their rents. (Attach additional sheets if needed.)


Town Parcel ID#	Street Address	Sale Price/Date of Sale	Rents	Assessment
<u>1333</u>	<u>26 COLONY COVER ROAD</u>	<u>\$ 867,000 / 10/16/25</u>	<u>\$</u>	<u>1,084,100</u>

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.

Date: 2-10-2026


(Signature)


(Signature)

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: _____
(Representative's Signature)

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

*RSA 75:16, 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: _____

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

Rev. 3/12

E. and F.

The property at 26 Colony Cove Rd. recently sold for 80% of the town assessment. This is reason to reduce the town assessment for 265 Durham Point Road by 20%.

In addition, when assessing the value of these two properties, the waterfront at 26 Colony Cove Roads has 2' of water depth available all day at the end of a 100' dock while 265 Durham Point Road does not have 2 feet of water depth available 100' off offshore for approximately 25% of the day. Simply put, a 1 foot draft boat docked 100' offshore of 265 Durham Point Road is aground for approximately 3 hours twice a day, during each low tide, or 25% of the time.

This is reason to reduce the town assessment of the land at 265 Durham Point Road an additional 25%.

Town of Durham, NH
Property Tax Bill Calculation

Owner Prescott Family Trust
PID 227-3
Address 265 Durham Point Road

WHAT WAS TAXED

Total Assessed Value	561,800	944,100
Exemption (solar,)		
Value Tax Applied To:	<u>561,800.00</u>	<u>944,100.00</u>

Credit (veterans,)

Tax Bill#:	119841	121302
PropTax Issue 1 st or 2 nd	1	2
Due Date:	7/2/2025	1/12/2026
Paid Date:	6/9/2025	12/31/2025

Tax Rate Applied:

Town	2.875	5.120
County	0.925	1.900
Local School	5.760	10.790
State School	0.605	1.060
Total Rate	<u>10.165</u>	<u>18.870</u>

tax will be roughly 5,710.70 17,815.17

Resulting in Taxes of:

Town	1,615.00	4,834.00
County	520.00	1,794.00
Local School	3,236.00	10,187.00
State School	340.00	1,001.00
Tax Calculated	<u>5,711.00</u>	<u>17,816.00</u>

Less Credit & 1st Bill
is the Amount Billed: 5,711.00 12,105.00

WHAT SHOULD HAVE BEEN TAXED

Total Assessed Value	561,800	943,900
Exemption (solar,)	-	-
Value Tax Applied To:	<u>561,800.00</u>	<u>943,900.00</u>

Credit (veterans,) - -

Tax Bill#:	119841	121302
PropTax Issue 1 st or 2 nd	1	2
Due Date:	7/2/2025	1/12/2026
Paid Date:	6/9/2025	12/31/2025

Tax Rate Applied:

Town	2.875	5.120
County	0.925	1.900
Local School	5.760	10.790
State School	0.605	1.060
Total Rate	<u>10.165</u>	<u>18.870</u>

tax will be roughly 5,710.70 17,811.39

Resulting in Taxes of:

Town	1,615.00	4,833.00
County	520.00	1,793.00
Local School	3,236.00	10,185.00
State School	340.00	1,001.00
Tax Calculated	<u>5,711.00</u>	<u>17,812.00</u>

Less Credit & 1st Bill
is the Amount Billed: 5,711.00 12,101.00

WHAT SHOULD BE ABATED

Difference in Billed-SHB = Abate	-	4.00	4.00 = To Be Abated
RSA 76:17-a Rate of Interest Pybl	4.00%	4.00%	
Enter Date Town will Payback	6/19/2026	7/10/2026	
Number of Days of Interest =	375	191	
Interest Payable	-	0.08	0.08 = Interest Owed
Less Previously Abated Amount of			
Total To Be Abated	-	4.08	4.08



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ABATEMENT RECOMMENDATION

DATE: June 15, 2026

TOWN OF: Durham

TO: Town Council

FROM: Darcy Freer, CNHA

OWNER: Ralph & Elisabeth Kleinmann
Joint Revocable Trust
267 Durham Point Road
Durham, NH 03824

REPRESENTATIVE: N/A

PROPERTY LOCATION: 267 Durham Point Road, Durham, NH 03824

PID: 227-4

PROPERTY TAX YEAR(S) APPEALED: 2025

APPLICATION FILING DATE: 2/18/26

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$1,645,400

Municipalities may abate taxes “for good cause shown.” RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property’s “equalized assessment” exceeded the property’s market value. To calculate the equalized assessment, simply divide the assessment by the municipality’s equalization ratio (assessment ÷ ratio). Because a property’s market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**



REASON FOR APPEAL: The owners have applied for an abatement of their 2025 property taxes because they believe the assessment of \$1,645,400 is disproportionate to nearby waterfront properties that sold. The owners submitted two properties as comparisons with their abatement application, 26 Colony Cove Road and 26 Mathes Cove Road.

ASSESSORS COMMENTS: The subject property is a ranch which is situated on 0.74 acres of land with approximately 85' of frontage on Little Bay. The home was constructed in 2007, has 1,613 sf above grade, and a garage which has 776 sf of finished living space. The home is considered to be in average condition relative to its age. The property had a full inspection by Whitney Consulting during the informal hearing period. At this time, additional adjustments were made to both the land and building value of the property. I performed an additional exterior inspection of the property on 3/23/2026, however an inspection of the interior was refused at the time.

The two above sale properties could be considered comparable to the subject, if adjusted properly. 26 Colony Cove Road is a cape, which at the time of sale was in inferior condition to the subject and while it is similarly situated on Little Bay, the lot only contains 0.32 acres of land. 26 Mathes Cove Road is a cape, which at the time of sale was in inferior condition to the subject, in fact it is currently in the process of a full and total renovation. This property, while it contains more acreage and a beach area, is situated along the Oyster River which is considered to be inferior to Little Bay.

Both sales were sold after our date of value and were not considered in our analysis. When reviewing sales after the date of value, the most recent and relevant sale would be the sale at 263 Durham Point Road. This property sold for \$1,695,000 and is located directly in the subject's subdivision neighborhood. It is similar in size to the subject, and the lot size is virtually identical.

RECOMMENDATION: Considering the sale at 263 Durham Point Road, and after thoroughly reviewing the sale property, including all elements of value, this property appears to be consistently assessed. Based upon the above information, I recommend the Council **DENY** the abatement request.

RECEIVED
Town of Durham

FEB 18 2026

Planning, Zoning
and Assessing

FOR MUNICIPALITY USE ONLY:

Town File No.: 25-21

Taxpayer Name: Kleinmann

RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Ralph + Elisabeth Kleinmann Joint Revocable Trust

Name(s): Ralph Kleinmann, Elisabeth Kleinmann

Mailing Address: 267 Durham Point Road Durham, NH 03824

Telephone Number(s): (Work) 603-781-9690 (Home) _____

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): _____

Mailing Address: _____

Telephone Number(s): (Work) _____ (Home) _____

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>
1757	267 Durham Pt. Rd.	Single Family	\$1,645,400

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>

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. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

Property assessed value is disproportionate to nearby Durham waterfront properties that sold within the past year considering waterfront view, water access, + other comparisons.

Additional details are provided in Sections F and G.

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# 1757 Appeal Year Market Value \$ \$1,300,000

Town Parcel ID# _____ Appeal Year Market Value \$ _____

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

Please see Attachment A.

SECTION G. Sales, Rental and/or Assessment Comparisons

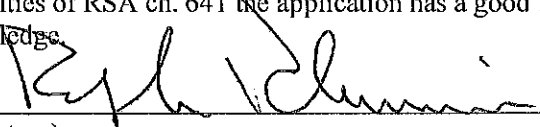
List the properties you are relying upon to show overassessment of your property(ies). If you are appealing an income producing property, list the comparable rental properties and their rents. (Attach additional sheets if needed.)

Town Parcel ID#	Street Address	Sale Price/Date of Sale	Rents	Assessment
1333	26 Colony Cove Rd.	\$867k/10-16-25	\$1,084,100	
1300	26 Mathes Cove Rd.	\$1.4m/6-5-25	\$1,223,000	

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.

Date: 2-18-2026



(Signature)



(Signature)

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: _____

(Representative's Signature)

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

*RSA 75:16, 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: _____

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

The most significant adjustment is for assessor's perceived value of waterfront lot.

Assessed Land

\$1,162,600	My property
\$837,200	26 Colony Cove Rd (PID:1333)
\$896,700	26 Mathes Cove Rd (PID: 1300)

26 Colony Cove Road (PID: 1333)

This property is located very close to my property. The water views are the same as my property. This property has deep water access 24 hours a day, meaning someone can get out in a boat at any time. My property has mud flats ½ of the time (for 6 hours of every 12 hour tide change there is mud at my property extending out 100+ yards at low tide). Access to Little Bay by boat at my property is limited to less than 6 hours of every 12 hours, depending on the depth of the boat. I tried unsuccessfully to sell my property some years ago and this was the number 1 reason buyers cited as reason not to buy. My 2025 assessed land value jumped from \$649k (2024) to \$1.162m (2025), and is now \$325k more than 26 Colony Cove property, when in 2024 it was \$90k less than this property. The value for the waterfront land of my property should be no more than that of 26 Colony Cove Road, based on 24/7 deep water access comparison, similar water views, and similar (lack of) privacy to side neighbors. The entire 26 Colony Cove property (land and house) sold in 2025 for \$300k less than just my assessed land value.

26 Mathes Cove Rd (PID: 1300)

This property is located at the mouth of the Oyster River where it meets Little Bay, so access to boating and to Little Bay is very similar to access to boating and Little Bay from my property. The water views from this property are beautiful. The size of this lot (over 3 Acres), with 660 waterfront feet, privacy from side neighbors, a private beach, are all attributes of this waterfront lot that are far superior to my waterfront lot. The value for the waterfront land of my property should be less than the waterfront land of 26 Mathes Cove Road, based on its marketable attributes mentioned here.



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8 NEWMARKET ROAD
DURHAM, NH 03824-2898
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Fax: 603/868-8033*

ABATEMENT RECOMMENDATION

DATE: June 15, 2026

TOWN OF: Durham

TO: Town Council

FROM: Darcy Freer, CNHA

OWNER: Robert P Ryan
Brenda C Ryan
269 Durham Point Road
Durham, NH 03824

REPRESENTATIVE: N/A

PROPERTY LOCATION: 269 Durham Point Road, Durham, NH 03824

PID: 227-5

PROPERTY TAX YEAR(S) APPEALED: 2025

APPLICATION FILING DATE: 2/26/26

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$1,789,800

Municipalities may abate taxes “for good cause shown.” RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property’s “equalized assessment” exceeded the property’s market value. To calculate the equalized assessment, simply divide the assessment by the municipality’s equalization ratio (assessment ÷ ratio). Because a property’s market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**



REASON FOR APPEAL: The owner has applied for an abatement of their 2025 property taxes because they state that the land assessment is unsupported by market data and disproportionate. Additionally, they state that their property has a disproportionate share of the municipal tax burden due to the perceived underassessment of large student housing projects.

ASSESSORS COMMENTS: The subject property is a Modern/Contemporary home which is situated on 0.70 acres of land, with approximately 104' of frontage on Little Bay. The home was constructed in 2017, has 2,615 sf of living area above grade and is considered to be in average condition relative to its age.

The abatement application included a list of sales that the applicant utilized to perform the land allocation method to arrive at a land value for the parcel. The applicant believes these are comparable, and while some may be comparable, no adjustment was made for the location or the body of water of the selected sales. The application also makes a statement that this property is not waterfront, but rather a waterview parcel. This statement is false and misleading, as this property is situated directly on *Little Bay*.

The applicant makes a disproportionality argument for several properties whose values are based upon settlement agreements. Although the Town believes these properties to be at market value, these are not the only properties that should be utilized to prove disproportionality. The aforementioned settlement agreements, and the subsequent assessed values, stemmed from numerous student housing appeals from the 2023 Revaluation. To arrive at the agreed upon settlement values numerous professionals and countless hours were spent analyzing data including national publications, northeast university/college enrollment trends including the actualized enrollment decline at UNH, and the UNH specific requirement for a larger portion of the student population to reside on campus. While the application does correctly state that student housing projects trade in a value range, the capacity of each project, location including the proximity to campus, and the requirements of each university/college must be considered to accurately assess the property.

A full interior and exterior inspection of the property was performed on 3/27/2026 to confirm and/or correct all data points on the property record card. Dimensional changes were made to the sketch, the generator size and the AC type were corrected.

Additionally, when reviewing sales after the date of value, the most recent and relevant sale would be the sale at 263 Durham Point Road. This property sold for \$1,695,000 and is located directly in the subject's subdivision neighborhood. It is similar in size, when considering both the living area above ground and the finished basement, and lot size is almost identical to the subject.

RECOMMENDATION: Considering the sale at 263 Durham Point Road, and after thoroughly reviewing the sale property, including all elements of value, this property appears to be consistently assessed. Based upon this and the above information, I recommend the Council **DENY** the abatement request.

RECEIVED
Town of Durham

FEB 26 2026

Planning, Zoning
and Assessing

FOR MUNICIPALITY USE ONLY:

Town File No.: 25-38

Taxpayer Name: Ryan

TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): Robert & Brenda Ryan

Mailing Address: 269 Durham Point Road, Durham, NH 03824

Telephone Nos.: (Home) _____ (Cell) 603.943.6051 (Work) _____ (Email) rryan14@gmail.com

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): _____

Mailing Address: _____

Telephone Nos.: (Home) _____ (Cell) _____ (Work) _____ (Email) _____

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>
227-5	269 Durham Point Rd., Durham	Single Family	\$1,789,800

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. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

Please see attached.

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# 227-5 Appeal Year Market Value \$ 1,301,130

Town Parcel ID# _____ Appeal Year Market Value \$ _____

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

Please see attached.

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
-----------------	----------------	-------------------------	-------	------------

Please see 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 641:3 the application has a good faith basis and the facts stated are true to the best of my/our knowledge.

Date: 2/26/26

[Signature]
(Signature)

Robert P. Ryan
(Print Name)

[Signature]
(Signature)

Brenda Ryan
(Print Name)

SECTIONS E, F & G

Market Data

The property's underlying land assessment is unsupported by market data and disproportionate which then skews the overall assessed value of the property. The parcel is an irregular shaped with limited developability due to its shape, topography, and setbacks. While the property is technically waterfront there is no practical use of the waterfront due to tidal mud flats and topography. In essence, the parcel is a water view lot without deep water access.

There is no sale data to support the land assessment. Given the lack of vacant land sales in Durham on Great Bay and its tributaries, improved sales were analyzed in the revaluation to allocate land value. In land allocation, the contributory value of the improvements is deducted from the overall sale price to arrive at an allocated value for the land. The summary below reflects data taken from the tax assessment cards. The contributory value of the building was also taken from the tax assessment card. In addition to the town's analysis that includes seven improved sales, there was a vacant parcel of land that sold in an arm's length transaction that has been included on the last line in the summary of sale data below.

Tax ID	Address	Acreage	Frontage	House SF	Sale Date	Sale Price	Building	Bldg/SF	Residual
214-17	59 Durham Point	2.53	192	3,271	6/10/24	\$1,750,000	\$629,600	\$192	\$1,120,400
239-9	561 Bay	1.51	view	n/a	5/1/23	\$875,000	\$0	\$0	\$875,000
232-106	250 Newmarket	13.20	4,000	3,136	9/13/24	\$1,600,000	\$661,800	\$211	\$938,200
232/100	278 Newmarket	2.46	380	1,512	7/16/24	\$739,933	\$383,900	\$254	\$356,033
108/86	22 Newmarket	0.68	175	2,907	4/7/23	\$925,000	\$488,900	\$168	\$436,100
216/7	32 Back River	2.90	view	1,190	3/27/25	\$450,000	\$156,900	\$132	\$293,100
239/18	595 Bay	1.93	350	1,128	8/21/24	\$1,395,000	\$378,000	\$335	\$1,017,000
227/11	281 Durham Point	15.00	255	n/a	12/13/24	\$1,000,000	\$0	\$0	\$1,000,000

Unlike traditional waterfront property where the shoreline is usable (i.e. good topography, deep water, sandy beach, etc.), the sale data reflects waterview parcels more than waterfront since the frontage is difficult and mostly unusable. Thus, regardless of the amount of acreage or shoreline, the residual land values indicate there is minimal difference between a smaller lot with less amount of waterfrontage compared to a larger lot with extensive shoreline. The price paid in the marketplace is based on a developable parcel of land with minimal consideration for excess land or waterfrontage.

The sale located at 281 Durham Point was acquired by the abutter. The sale was an auction type transaction with multiple bidders. The next highest bidder was at \$800,000. Therefore, the abutter paid a 20% premium for assemblage purposes. As a result, the market transacted price without assemblage premium calculates to \$800,000.

Five of the sales above (59 Durham, 561 Bay, 250 Newmarket, 595 Bay, and 281 Durham) have a tight range of allocated land value from \$875,000 to \$1,120,400. The average calculates to \$950,120. This represents the market derived assessed value for a waterfront lot. The sale data indicates that the land is overassessed.

Disproportionality

The property is disproportionately assessed and has a disproportionate share of the municipal tax burden. There are other real estate segments in Durham that are underassessed and as a result do not pay a proportionate share of the tax burden. The following are several examples of disproportionality.

The Cottages of Durham is a 619 bed student housing project located at 100 Clubhouse Street in Durham. It is an investment grade property owned by Blackstone. It is further identified as Map 203, Lot 7. The current 2025 assessment is as follows:

Improvements	\$43,338,770
Land	<u>\$9,285,000</u>
Total Assessment	\$52,623,700
 2025 Annual Tax Liability	 \$993,009

The assessment calculates to \$85,014 per bed. Institutional grade, purpose built student housing trades in the range of \$95,000 to \$120,000 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 10.3% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements	\$52,900,400
Land	<u>\$5,756,200</u>
Total Assessment	\$58,656,600

The Lodges at West Edge is a 486 bed student housing projected located at 259 Mast Road in Durham. It is an investment grade property. It is further identified as Map 210, Lot 10. The current 2025 assessment is as follows:

Improvements	\$42,100,000
Land	<u>\$6,900,000</u>
Total Assessment	\$49,000,000
 2025 Annual Tax Liability	 \$924,630

The assessment calculates to \$100,823 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 10.6% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

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Improvements	\$14,768,400
Land	<u>\$5,910,000</u>
Total Assessment	\$20,678,400
 2025 Annual Tax Liability	 \$390,201

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Improvements	\$13,084,000
Land	<u>\$7,937,900</u>
Total Assessment	\$21,021,900

The assessment data clearly demonstrates that a large, student housing projects that have significant value and generate significant tax revenue for Durham are underassessed. Furthermore, student housing rates increased 3 to 4% year over year from 2024 to 2025. The result is that other market segments, including residential waterfront property, are carrying a disproportionate share of the tax burden. As the data indicates, the disproportionality calculates to approximately 10%.

Summary

Current Assessment

Improvements	\$645,700
Land	<u>\$1,144,100</u>
Total Assessment	\$1,789,800

Correct Proportionate Assessment

Improvements (-10% disproportionality)	\$581,130
Land (\$800,000 market data - 10%)	<u>\$720,000</u>
Total Assessment	\$1,301,130

Abatement Request

Current Assessment	\$1,789,800
Correct Proportionate Assessment	<u>\$1,301,130</u>
Abatement	\$488,670



*TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-8064
Fax: 603/868-8033*

ABATEMENT RECOMMENDATION

DATE: June 15, 2026

TOWN OF: Durham

TO: Town Council

FROM: Darcy Freer, CNHA

OWNER: Chase Family Revocable Trust
271 Durham Point Road
Durham, NH 03824

REPRESENTATIVE: N/A

PROPERTY LOCATION: 271 Durham Point Road, Durham, NH 03824

PID: 227-6

PROPERTY TAX YEAR(S) APPEALED: 2025

APPLICATION FILING DATE: 2/26/26

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$1,670,200

Municipalities may abate taxes “for good cause shown.” RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property’s “equalized assessment” exceeded the property’s market value. To calculate the equalized assessment, simply divide the assessment by the municipality’s equalization ratio (assessment ÷ ratio). Because a property’s market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**



REASON FOR APPEAL: The owner has applied for an abatement of their 2025 property taxes because they state that the land assessment is unsupported by market data and disproportionate. Additionally, they state that their property has a disproportionate share of the municipal tax burden due to the perceived underassessment of large student housing projects. The owner has also indicated that according to *Marshall and Swift Valuation Service* manual the amount of depreciation of the building is incorrect.

ASSESSORS COMMENTS: The subject property is a Cape which is situated on 1.29 acres of land, with approximately 170' of frontage on Little Bay. The home was constructed in 1991 and has had various updates, additions and renovations over the years. It has 3,127 sf of living area above grade and is considered to be in very good condition relative to its age.

The abatement application included a list of sales that the applicant utilized to perform the land allocation method to arrive at a land value for the parcel. The applicant believes these are comparable, and while some may be comparable, no adjustment was made for the location or the body of water of the selected sales. The application also makes a statement that this property is not waterfront, but rather a waterview parcel. This statement is false and misleading, as this property is situated directly on *Little Bay*.

The applicant makes a disproportionality argument for several properties whose values are based upon settlement agreements. Although the Town believes these properties to be at market value, these are not the only properties that should be utilized to prove disproportionality. The aforementioned settlement agreements, and the subsequent assessed values, stemmed from numerous student housing appeals from the 2023 Revaluation. To arrive at the agreed upon settlement values numerous professionals and countless hours were spent analyzing data including national publications, northeast university/college enrollment trends including the actualized enrollment decline at UNH, and the UNH specific requirement for a larger portion of the student population to reside on campus. While the application does correctly state that student housing projects trade in a value range, the capacity of each project, location including the proximity to campus, and the requirements of each university/college must be considered to accurately assess the property.

A full interior and exterior inspection of the property was most recently performed on 2/7/2025 to confirm and/or correct all data points on the property record card.

The owner claims that the depreciation of the building is incorrect and believes that appropriate depreciation for the property should be derived directly from the Marshall and Swift Valuation Services manual. The Town utilizes mass appraisal techniques and a market extraction method to develop the appropriate depreciation tables for properties within the Town. Typically, in mass appraisal, the identification of depreciation relies upon the application of computer modeling, CAMA, techniques. This market extraction method may not mimic what is depicted in the Marshall and Swift Valuation Services manual.

Additionally, when reviewing sales after the date of value, the most recent and relevant sale would be the sale at 263 Durham Point Road. This property sold for \$1,695,000 and is located directly in the subject's subdivision neighborhood. It is smaller in both living area size and lot size to the subject.

RECOMMENDATION: Considering the sale at 263 Durham Point Road, and after thoroughly reviewing the sale property, including all elements of value, this property appears to be consistently assessed. Based upon this and the above information, I recommend the Council **DENY** the abatement request.

RECEIVED
Town of Durham

FEB 26 2026
Planning, Zoning
and Assessing

FOR MUNICIPALITY USE ONLY:

Town File No.: 25-43

Taxpayer Name: Chase

TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): Chase Family Revocable Trust of 2024

Mailing Address: 271 Durham Point Road; Durham, NH 03824

Telephone Nos.: (Home) _____ (Cell) 781.710.2530 (Work) _____ (Email) tacking@gmail.com

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): _____

Mailing Address: _____

Telephone Nos.: (Home) _____ (Cell) _____ (Work) _____ (Email) _____

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>
227-6	271 Durham Point, Durham	Single Family	\$1,670,200

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.

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 - 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. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

Please see attached.

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# 227-6 Appeal Year Market Value \$ 1,098,096

Town Parcel ID# _____ Appeal Year Market Value \$ _____

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

Please see attached.

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.)

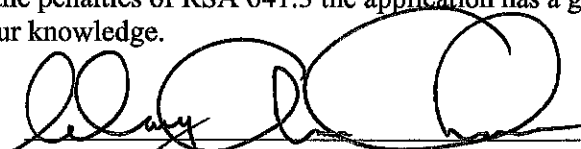
Town Parcel ID#	Street Address	Sale Price/Date of Sale	Rents	Assessment
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Please see attached.

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 641:3 the application has a good faith basis and the facts stated are true to the best of my/our knowledge.

Date: 2-25-2026



(Signature)

Mary Ann Chase

(Print Name)

(Signature)

(Print Name)

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 641:3:

- 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: _____
 _____ (Representative's Signature) _____ (Print Name)

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: _____

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

SECTIONS E, F & G

Market Data

The property's underlying land assessment is unsupported by market data and disproportionate which then skews the overall assessed value of the property. The parcel is an irregular shaped parcel with limited develop-ability due to its shape, topography, and setbacks. While the property is technically waterfront there is no practical use of the waterfront due to tidal mud flats and topography. In essence, the parcel is a water view lot without deep water access.

There is no sale data to support the land assessment. Given the lack of vacant land sales in Durham on Great Bay and its tributaries, improved sales were analyzed in the revaluation to allocate land value. In land allocation, the contributory value of the improvements is deducted from the overall sale price to arrive at an allocated value for the land. The summary below reflects data taken from the tax assessment cards. The contributory value of the building was also taken from the tax assessment card. In addition to the town's analysis that includes seven improved sales, there was a vacant parcel of land that sold in an arm's length transaction that has been included on the last line in the summary of sale data below.

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Five of the sales above (59 Durham, 561 Bay, 250 Newmarket, 595 Bay, and 281 Durham) have a tight range of allocated land value from \$875,000 to \$1,120,400. The average calculates to \$950,120. For the Chase Family home at 271 Durham Point Rd, only 0.29 acre of the 1.29 acres is usable due to a stream running from Durham Point Road and both a well and septic located on the property. The tidal flat water frontage is steep and mostly unusable. Access to the property is via a common private gravel road that is shared by a total of five property owners. Due to significant silting, the waterfront is usable approximately 4 hours per day at high tide. This represents the market derived assessed value for a waterfront lot. An additional 25% adjustment is warranted due to these unique, restrictive characteristics of the parcel. The sale data indicates that the land is over assessed.

Disproportionality

The property is disproportionately assessed and has a disproportionate share of the municipal tax burden. There are other real estate segments in Durham that are underassessed and as a result do not pay a proportionate share of the tax burden. The following are several examples of disproportionality.

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Factual Information

The house was constructed circa 1991 and has an effective age of 20 years. According to *Marshall & Swift Valuation Service* the correct amount of depreciation is 21%; not 14% as indicated on the tax assessment card.

Summary

Current Assessment

Improvements	\$583,300
Land	<u>\$1,086,900</u>
Total Assessment	\$1,670,200

Correct Proportionate Assessment

Improvements (-21% depreciation, -10% disproportionality)	\$456,846
Land (\$950,000 market data -25% (limitations) + - 10% disproportionality)	<u>\$641,250</u>
Total Assessment	\$1,098,096

Abatement Request

Current Assessment	\$1,670,200
Correct Proportionate Assessment	<u>\$1,098,096</u>
Abatement	\$572,104



*TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-8064
Fax: 603/868-8033*

ABATEMENT RECOMMENDATION

DATE: June 15, 2026

TOWN OF: Durham

TO: Town Council

FROM: Darcy Freer, CNHA

OWNER: Miller Family Dynasty Trust
283 Durham Point Road
Durham, NH 03824

REPRESENTATIVE: N/A

PROPERTY LOCATION: 283 Durham Point Road, Durham, NH 03824

PID: 227-12

PROPERTY TAX YEAR(S) APPEALED: 2025

APPLICATION FILING DATE: 2/12/26

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$2,714,600

Municipalities may abate taxes “for good cause shown.” RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property’s “equalized assessment” exceeded the property’s market value. To calculate the equalized assessment, simply divide the assessment by the municipality’s equalization ratio (assessment ÷ ratio). Because a property’s market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**



REASON FOR APPEAL: The owner has applied for an abatement of their 2025 property taxes because they state that the land assessment is unsupported by market data and disproportionate. Additionally, they state that their property has a disproportionate share of the municipal tax burden due to the perceived underassessment of large student housing projects.

ASSESSORS COMMENTS: The subject property is a colonial which is situated on 11.0 acres of land, with approximately 915' of frontage on Little Bay. The home was constructed in 1984 and has had various updates, has 4,649 sf of living area above grade and 1,289 sf of finished basement, and was corrected to be in overall good condition relative to its age during an inspection.

The abatement application included a list of sales that the applicant utilized to perform the land allocation method to arrive at a land value for the parcel. The applicant believes these are comparable, and while some may be comparable, no adjustment was made for the location or the body of water of the selected sales. The application also makes a statement that this property is not waterfront, but rather a waterview parcel. This statement is false and misleading, as this property is situated directly on *Little Bay*.

The applicant makes a disproportionality argument for several properties whose values are based upon settlement agreements. Although the Town believes these properties to be at market value, these are not the only properties that should be utilized to prove disproportionality. The aforementioned settlement agreements, and the subsequent assessed values, stemmed from numerous student housing appeals from the 2023 Revaluation. To arrive at the agreed upon settlement values numerous professionals and countless hours were spent analyzing data including national publications, northeast university/college enrollment trends including the actualized enrollment decline at UNH, and the UNH specific requirement for a larger portion of the student population to reside on campus. While the application does correctly state that student housing projects trade in a value range, the capacity of each project, location including the proximity to campus, and the requirements of each university/college must be considered to accurately assess the property.

A full interior and exterior inspection of the property was performed on 3/18/2026 to confirm and/or correct all data points on the property record card. At this time, various positive and negative adjustments occurred. The sketch was corrected for the amount of finished and unfinished basement, central AC was added, and the outbuildings were corrected.

RECOMMENDATION: Based upon the above information, I recommend reducing the overall assessments from \$2,714,600 to \$2,552,000 and granting the abatement for the assessed value differences of \$162,600. This calculates to an abatement of **\$3,130.55** including interest (interest is calculated to a repayment date of July 10, 2026, and is subject to change per tax collector). If the taxes have not been paid, then no refund or interest is due.

RECEIVED
Town of Durham

FEB 12 2026

Planning, Zoning
and Assessing

FOR MUNICIPALITY USE ONLY:

Town File No.: 25-13

Taxpayer Name: Miller

TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): Miller Family Dynasty Trust

Mailing Address: 283 Durham Point Road, Durham, NH 03824

Telephone Nos.: (Home) _____ (Cell) 781.363.6961 (Work) _____ (Email) gregm7139@gmail.com

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): _____

Mailing Address: _____

Telephone Nos.: (Home) _____ (Cell) _____ (Work) _____ (Email) _____

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>
227-12	283 Durham Point Rd., Durham	Single Family	\$2,714,600

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>
227-11	281 Durham Point. Rd., Durham	Land	\$926,900

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. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

Please see attached.

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# 227-12 Appeal Year Market Value \$ 1,961,460

Town Parcel ID# _____ Appeal Year Market Value \$ _____

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

Please see attached.

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

Please see 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 641:3 the application has a good faith basis and the facts stated are true to the best of my/our knowledge.

Date: 2/12/2026

Greg Miller, Trustee
(Signature)

Greg Miller, Trustee
(Print Name)

(Signature)

(Print Name)

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 641:3:

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: _____

(Representative's Signature) (Print Name)

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: _____

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

SECTIONS E, F & G

Market Data

The property's underlying land assessment is unsupported by market data and disproportionate which then skews the overall assessed value of the property. The parcel is an irregular shaped with limited developability due to its shape, topography, and setbacks. While the property is technically waterfront there is no practical use of the waterfront due to tidal mud flats and topography. In essence, the parcel is a water view lot without deep water access.

There is no sale data to support the land assessment. Given the lack of vacant land sales in Durham on Great Bay and its tributaries, improved sales were analyzed in the revaluation to allocate land value. In land allocation, the contributory value of the improvements is deducted from the overall sale price to arrive at an allocated value for the land. The summary below reflects data taken from the tax assessment cards. The contributory value of the building was also taken from the tax assessment card. In addition to the town's analysis that includes seven improved sales, there was a vacant parcel of land that sold in an arm's length transaction that has been included on the last line in the summary of sale data below.

Tax ID	Address	Acreage	Frontage	House SF	Sale Date	Sale Price	Building	Bldg/SF	Residual
214-17	59 Durham Point	2.53	192	3,271	6/10/24	\$1,750,000	\$629,600	\$192	\$1,120,400
239-9	561 Bay	1.51	view	n/a	5/1/23	\$875,000	\$0	\$0	\$875,000
232-106	250 Newmarket	13.20	4,000	3,136	9/13/24	\$1,600,000	\$661,800	\$211	\$938,200
232/100	278 Newmarket	2.46	380	1,512	7/16/24	\$739,933	\$383,900	\$254	\$356,033
108/86	22 Newmarket	0.68	175	2,907	4/7/23	\$925,000	\$488,900	\$168	\$436,100
216/7	32 Back River	2.90	view	1,190	3/27/25	\$450,000	\$156,900	\$132	\$293,100
239/18	595 Bay	1.93	350	1,128	8/21/24	\$1,395,000	\$378,000	\$335	\$1,017,000
227/11	281 Durham Point	15.00	255	n/a	12/13/24	\$1,000,000	\$0	\$0	\$1,000,000

Unlike traditional waterfront property where the shoreline is usable (i.e. good topography, deep water, sandy beach, etc.), the sale data reflects waterview parcels more than waterfront since the frontage is difficult and mostly unusable. Thus, regardless of the amount of acreage or shoreline, the residual land values indicate there is minimal difference between a smaller lot with less amount of waterfrontage compared to a larger lot with extensive shoreline. The price paid in the marketplace is based on a developable parcel of land with minimal consideration for excess land or waterfrontage.

The sale located at 281 Durham Point was acquired by the abutter. The sale was an auction type transaction with multiple bidders. The next highest bidder was at \$800,000. Therefore, the abutter paid a 20% premium for assemblage purposes. As a result, the market transacted price without assemblage premium calculates to \$800,000.

Five of the sales above (59 Durham, 561 Bay, 250 Newmarket, 595 Bay, and 281 Durham) have a tight range of allocated land value from \$875,000 to \$1,120,400. The average calculates to \$950,120. This represents the market derived assessed value for a waterfront lot. The sale data indicates that the land is overassessed.

Disproportionality

The property is disproportionately assessed and has a disproportionate share of the municipal tax burden. There are other real estate segments in Durham that are underassessed and as a result do not pay a proportionate share of the tax burden. The following are several examples of disproportionality.

The Cottages of Durham is a 619 bed student housing project located at 100 Clubhouse Street in Durham. It is an investment grade property owned by Blackstone. It is further identified as Map 203, Lot 7. The current 2025 assessment is as follows:

Improvements	\$43,338,770
Land	<u>\$9,285,000</u>
Total Assessment	\$52,623,700
2025 Annual Tax Liability	\$993,009

The assessment calculates to \$85,014 per bed. Institutional grade, purpose built student housing trades in the range of \$95,000 to \$120,000 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 10.3% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements	\$52,900,400
Land	<u>\$5,756,200</u>
Total Assessment	\$58,656,600

The Lodges at West Edge is a 486 bed student housing projected located at 259 Mast Road in Durham. It is an investment grade property. It is further identified as Map 210, Lot 10. The current 2025 assessment is as follows:

Improvements	\$42,100,000
Land	<u>\$6,900,000</u>
Total Assessment	\$49,000,000
2025 Annual Tax Liability	\$924,630

The assessment calculates to \$100,823 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 10.6% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements	\$30,785,500
Land	<u>\$24,053,500</u>
Total Assessment	\$54,839,000

25 & 35 Main Street in Durham is a 231 bed student housing project located in downtown Durham. It is an investment grade property owned by Torrington. It is further identified as Map 108, Lot 14. The current 2025 assessment is as follows:

Improvements	\$14,768,400
Land	<u>\$5,910,000</u>
Total Assessment	\$20,678,400
2025 Annual Tax Liability	\$390,201

The assessment calculates to \$89,517 per bed. Institutional grade, purpose built student housing trades in the range of \$95,000 to \$120,000 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 1.6% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements	\$13,084,000
Land	<u>\$7,937,900</u>
Total Assessment	\$21,021,900

The assessment data clearly demonstrates that a large, student housing projects that have significant value and generate significant tax revenue for Durham are underassessed. Furthermore, student housing rates increased 3 to 4% year over year from 2024 to 2025. The result is that other market segments, including residential waterfront property, are carrying a disproportionate share of the tax burden. As the data indicates, the disproportionality calculates to approximately 10%.

Summary

Current Assessment

Improvements	\$1,229,400
Land	<u>\$1,485,200</u>
Total Assessment	\$2,714,600

Correct Proportionate Assessment

Improvements (-10% disproportionality)	\$1,106,460
Land (\$950,000 market data - 10%)	<u>\$855,000</u>
Total Assessment	\$1,961,460

Abatement Request

Current Assessment	\$2,714,600
Correct Proportionate Assessment	<u>\$1,961,460</u>
Abatement	\$753,140

Town of Durham, NH
Property Tax Bill Calculation

Owner Miller Family Dynasty Trust
PID 227-12
Address 283 Durham Point Road

WHAT WAS TAXED

Total Assessed Value	1,920,500	2,714,600
Exemption (solar,)		
Value Tax Applied To:	<u>1,920,500.00</u>	<u>2,714,600.00</u>

Credit (veterans,)

Tax Bill#:	119832	121309
PropTax Issue 1 st or 2 nd	1	2
Due Date:	7/2/2025	1/12/2026
Paid Date:	6/23/2025	1/8/2026

Tax Rate Applied:

Town	2.875	5.120
County	0.925	1.900
Local School	5.760	10.790
State School	0.605	1.060
Total Rate	<u>10.165</u>	<u>18.870</u>

tax will be roughly 19,521.88 51,224.50

Resulting in Taxes of:

Town	5,521.00	13,899.00
County	1,776.00	5,158.00
Local School	11,062.00	29,291.00
State School	1,162.00	2,877.00
Tax Calculated	<u>19,521.00</u>	<u>51,225.00</u>

Less Credit & 1st Bill
is the Amount Billed: 19,521.00 31,704.00

WHAT SHOULD HAVE BEEN TAXED

Total Assessed Value	1,920,500	2,552,000
Exemption (solar,)	-	-
Value Tax Applied To:	<u>1,920,500.00</u>	<u>2,552,000.00</u>

Credit (veterans,) - -

Tax Bill#:	119832	121309
PropTax Issue 1 st or 2 nd	1	2
Due Date:	7/2/2025	1/12/2026
Paid Date:	6/23/2025	1/8/2026

Tax Rate Applied:

Town	2.875	5.120
County	0.925	1.900
Local School	5.760	10.790
State School	0.605	1.060
Total Rate	<u>10.165</u>	<u>18.870</u>

tax will be roughly 19,521.88 48,156.24

Resulting in Taxes of:

Town	5,521.00	13,066.00
County	1,776.00	4,849.00
Local School	11,062.00	27,536.00
State School	1,162.00	2,705.00
Tax Calculated	<u>19,521.00</u>	<u>48,156.00</u>

Less Credit & 1st Bill
is the Amount Billed: 19,521.00 28,635.00

WHAT SHOULD BE ABATED

Difference in Billed-SHB = Abate	-	3,069.00	3,069.00 = To Be Abated
RSA 76:17-a Rate of Interest Pybl	4.00%	4.00%	
Enter Date Town will Payback	6/19/2026	7/10/2026	
Number of Days of Interest =	361	183	
Interest Payable	-	61.55	61.55 = Interest Owed
Less Previously Abated Amount of			
Total To Be Abated	-	3,130.55	3,130.55



*TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-8064
Fax: 603/868-8033*

ABATEMENT RECOMMENDATION

DATE: June 15, 2026

TOWN OF: Durham

TO: Town Council

FROM: Darcy Freer, CNHA

OWNER: Mazur Family Revocable Trust of 2026
295 Durham Point Road
Durham, NH 03824

REPRESENTATIVE: N/A

PROPERTY LOCATION: 295 Durham Point Road, Durham, NH 03824

PID: 227-15

PROPERTY TAX YEAR(S) APPEALED: 2025

APPLICATION FILING DATE: 2/26/26

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$1,145,300

Municipalities may abate taxes “for good cause shown.” RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property’s “equalized assessment” exceeded the property’s market value. To calculate the equalized assessment, simply divide the assessment by the municipality’s equalization ratio (assessment ÷ ratio). Because a property’s market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**



REASON FOR APPEAL: The owners have applied for an abatement of their 2025 property taxes because they believe the assessment of \$1,145,300 exceeds market value. They have submitted a brokers price opinion of value with their application.

ASSESSORS COMMENTS: The subject property is a colonial which is situated on 4.00 acres of land, with approximately 1,320' of water frontage on Little Bay. The home was constructed in 2011, has 2,785 sf of living area above grade, and is considered to be in overall average condition relative to its age. The exterior of the property was inspected on 3/24/26, at this time an interior inspection was denied by the homeowner.

During the inspection minor changes were made to the sketch, siding type and extra features. These changes resulted in an overall positive adjustment to the property. The property is heavily encumbered by an Eversource easement, including a very large steel transmission tower. At the time of revaluation this was adjusted on the primary land line with a 55% net reduction for this and shared driveway access. The homeowner notes a prior land condition factor that was applied two revaluation cycles ago, which was 10% greater. Adjustment factors, like market value, are dependent upon the real estate market at the time of value.

The broker price opinion that was submitted with the application includes an analysis of 3 sales which occurred after our date of value (4/1/25) and were therefore not included in our analysis. In regard to the Eversource encumbrances on the property the broker estimates that a 30% "handicap" would be appropriate to the value. This was derived utilizing the subjects 2021 sale price. However, this property was purchased from Eversource itself, who holds the easements over the property, and therefore it would not be considered a valid sale. Additionally, within the broker price opinion, the broker states that this information is "deemed reliable but is not guaranteed and should be independently verified".

Also, provided with the application were three online market value assessments, Realtor.com, Zillow, and Redfin. The applicant notes that, at the time of submission, these averaged to \$1.023 million. While these sources now show a much higher value (average of \$1.24 million), the BTLA has stated, "The board has never recognized these internet sources as a substitute for a comparable sales analysis or an appraisal... In fact, "Zillow's" website, in response to a "frequently asked question" whether a value estimate (a "Zestimate") is an appraisal, states:

No. The Zestimate is not an appraisal and can't be used in place of an appraisal. It is a computer-generated estimate of the value of a home today, given the available data. We encourage buyers, sellers and homeowners to supplement the Zestimate with other research, such as visiting the home, getting a professional appraisal of the home, or requesting a comparative market analysis (CMA) from a real estate agent."

Zillow, What is a Zestimate (accessed June 19,2024), available at <https://www.zillow.com/z/zestimate/>." Steven & Tammy Brewer v. Laconia, Docket No: 30817-22PT (2022).

RECOMMENDATION: After thoroughly reviewing the property, including all elements of value, and based upon the above information, I recommend the Council **DENY** the abatement request.

RECEIVED
Town of Durham

FEB 26 2026

Planning, Zoning
and Assessing

FOR MUNICIPALITY USE ONLY:

Town File No.: 25-36
Mazur

Taxpayer Name: Mazur

RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): James and Meredith Mazur/The Mazur Family Revocable Trust of 2026

Mailing Address: 295 Durham Point Road, Durham, NH 03824

Telephone Number(s): (Work) _____ (Home) 207-712-7925

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): _____

Mailing Address: _____

Telephone Number(s): (Work) _____ (Home) _____

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>
227-15	295 Durham Point Road	Single Family Home	\$1,145,300

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. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

See attached - 2 page letter with 29 pages of attachments.

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# 227-15 Appeal Year Market Value \$ \$1,003,000
Town Parcel ID# _____ Appeal Year Market Value \$ _____

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

See attached - 2 page letter with 29 pages of attachments.

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
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

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.

Date: Feb 26, 2026

[Signature] / [Signature], Trustee
(Signature)

[Signature] / [Signature], Trustee
(Signature)

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: _____

 (Representative's Signature)

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

*RSA 75:16, 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: _____

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

Rev. 3/12

James and Meredith Mazur / The Mazur Family Revocable Trust of 2026
295 Durham Point Road, Durham, NH (Tax Map 227-15)
Property Tax Abatement

The issue that we are contesting is the discount applied to the property for the Eversource easement (reflected on the tax card in the Land Line Valuation Section as “Condition”). For years prior to our purchase of the property, the factor used for Condition was 0.65. This was reduced to 0.35 in 2022 to reflect changes to both the physical property and the legal easement made when Eversource owned the property. These changes included:

- 1) Modification of the easement to:
 - A) Expand the land covered by the easement (from the road to the water) to 125 feet wide – note that the easement is within 5 feet of the home;
 - B) Provide the right to place equipment below ground (previously only above ground structures were allowed; the disruption from underground construction can be immense – as it was before we purchased the home). The risk of a future project involving digging is a significant adverse impact to a potential buyer;
- 2) Modification of the physical property to:
 - A) Installation of very large (see two pictures) steel transmission tower, approximately 80 feet from the home. It is the first thing that prospective buyers see as they approach the house.
 - B) Movement of the cable house from on the shore to on the property (see picture). This resulted in the cable house elevation increasing nearly ten feet and the structure being closer to the home, making it a more-prominent eyesore. The cable house was also “protected” by deed at this point and listed as an historic structure (preventing any future removal).
 - C) Because of the new power line installation, Eversource and their contractors visit the property regularly.

The Condition factor was increased in 2023, but we did not notice this as we were completely focused at the time on Meredith’s health (she suffered a very debilitating stroke in early 2023).

To prove the impact mathematically, please consider the following:

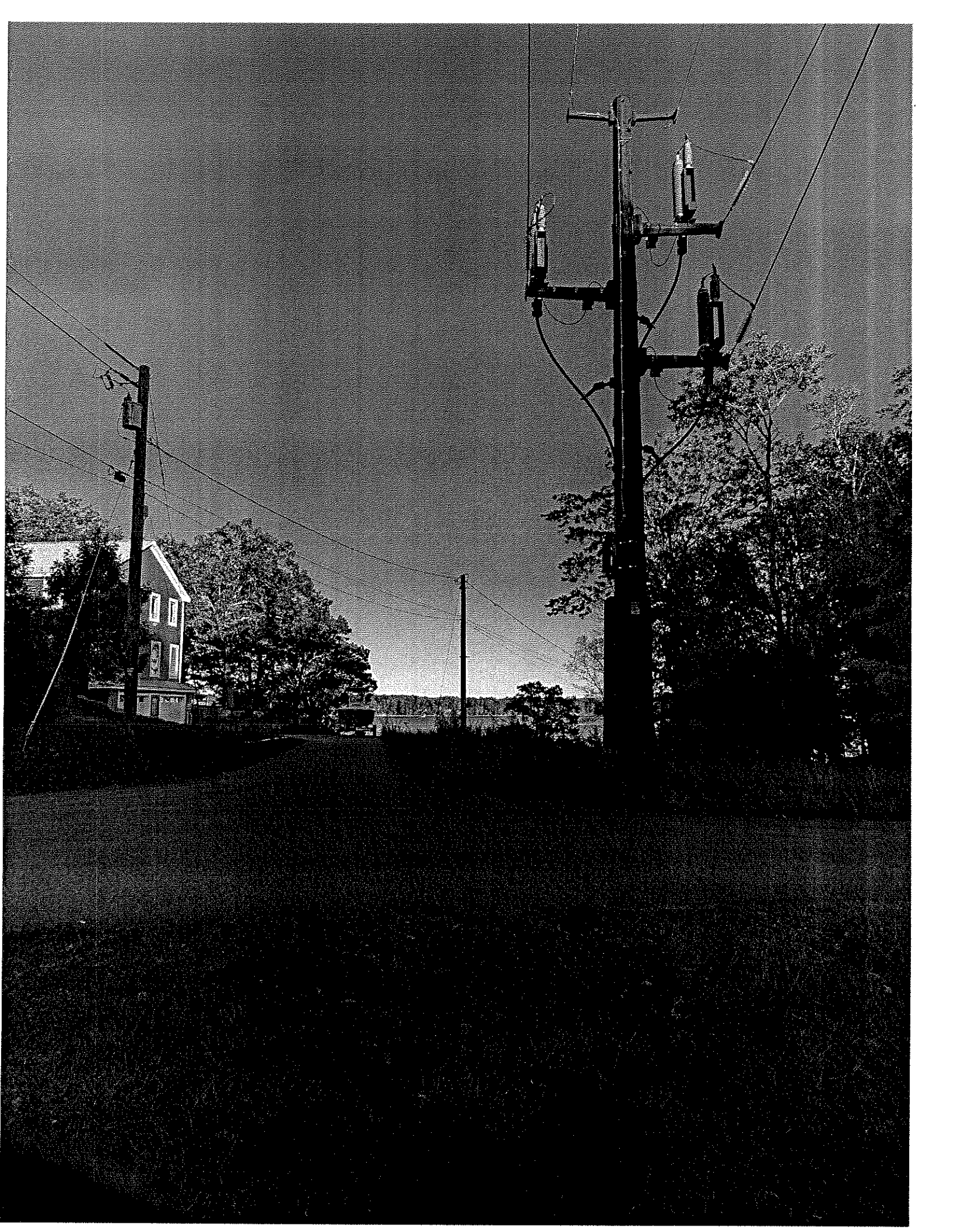
- 1) The new assessment uses a Condition factor of 0.45, resulting in an assessment of \$1.145 million.
- 2) Utilizing a Condition factor of 0.35, the assessment would be \$1.003 million.

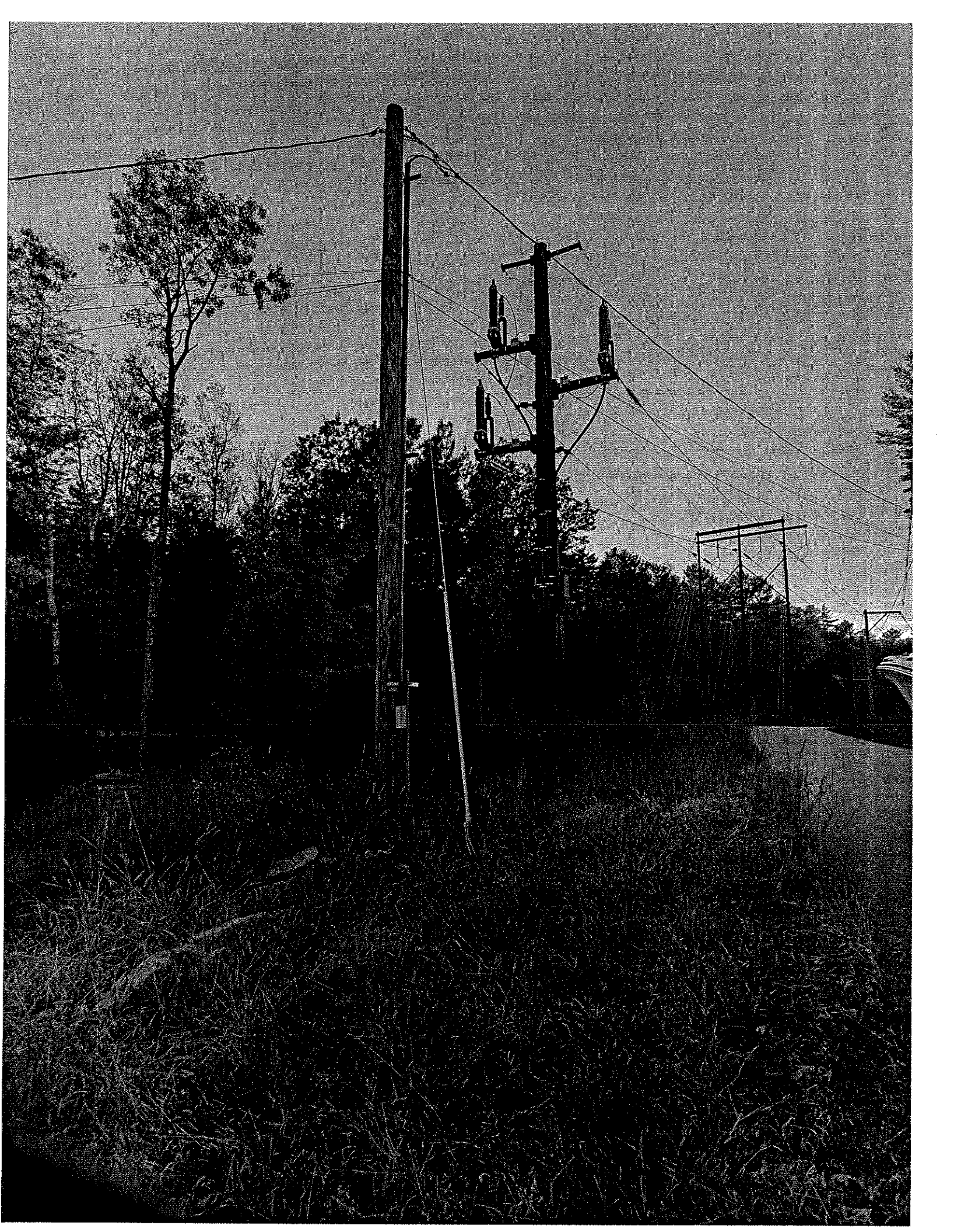
- 3) We hired a broker (with over 50 years' experience in the local market) to provide an assessment of fair market value (the goal of the tax assessment). His estimate of value is \$995K (his report is attached with his conclusion on page 21).
- 4) The three largest sources online of market value assessments have a midpoint of \$1.010 million and an average of \$1.023 million (Realtor.com \$968K; Zillow \$1.010M and Redfin \$1.093M) – see attached printouts.

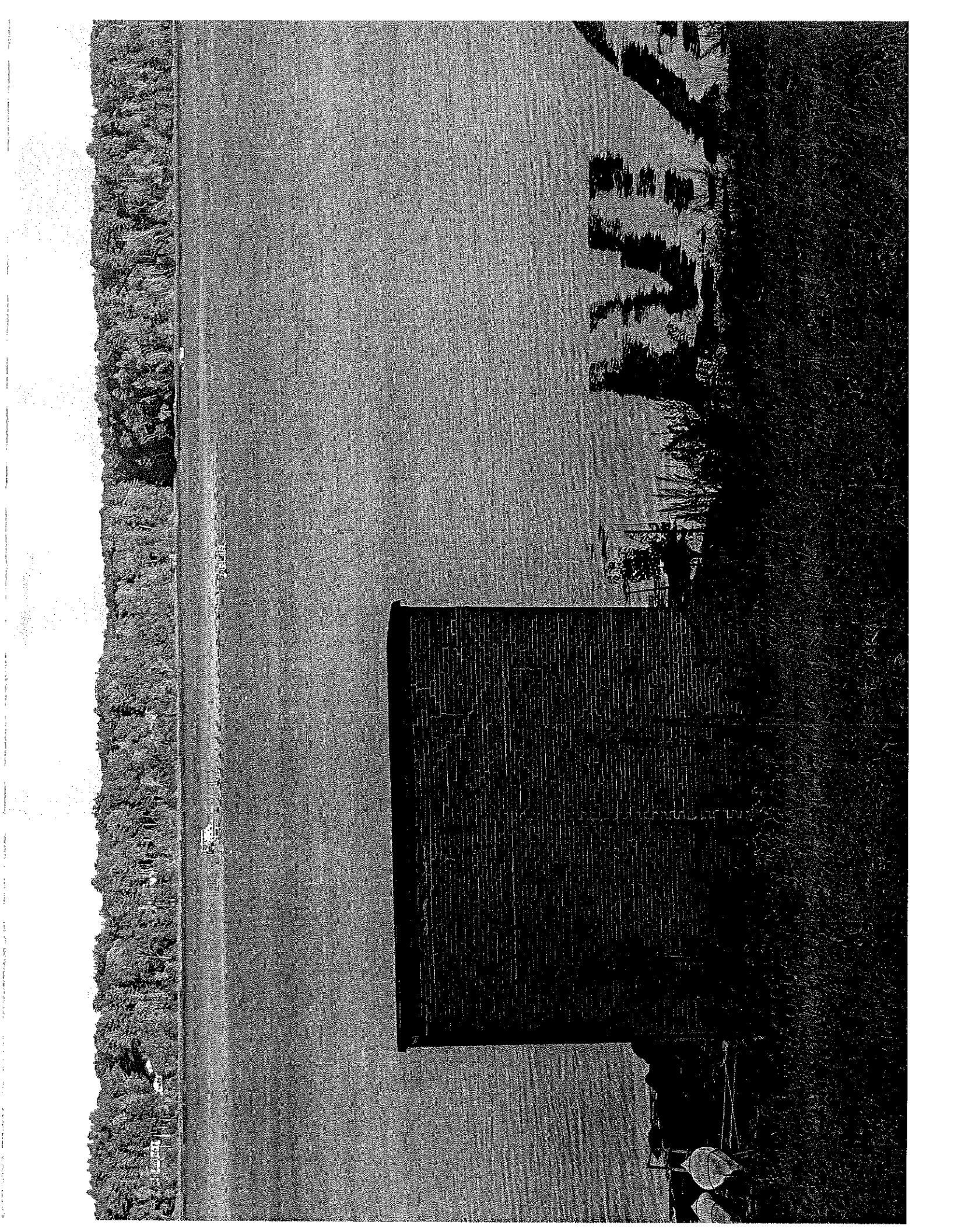
Four different sources of fair market value reflect an average price of \$1.016 million. This is within 1% of the value arrived by correcting the Condition factor and using the 0.35 assigned in 2022 when the impact of the Eversource project was reflected. There have been no changes in the legal easement or physical structures; there should be no change in the Condition factor.

Please see the attached exhibits:

- 1) Transmission tower – 2 pictures
- 2) Cable house – 1 picture
- 3) Broker's report – 22 pages
- 4) Realtor.com estimate as of February 22, 2026 – 2 pages
- 5) Redfin.com estimate as of February 22, 2026 – 1 page
- 6) Zillow.com estimate as of February 22, 2026 – 1 page







295 Durham Point Road, Durham, NH 03824

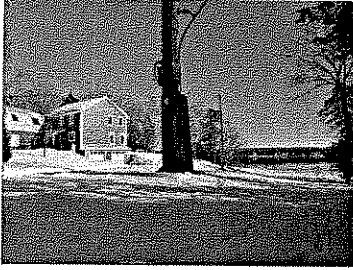
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John Rice

Associate Real Estate Broker
(603) 964-8028
jrice@tateandfoss.com

295 Durham Point Road, Durham, NH 03824
February 24, 2026



★ 295 Durham Point Road, Durham, NH 03824

Beds	Bath	SQFT*	Lot Size
3	3	2,736	4 Acres

Listing Detail

Lot Dimensions Irregular

County Strafford

Elementary School Oyster River

Property Type Single-Family

Tax Amount \$21,612

Middle School Oyster River

Land Tenure Fee simple with easements

Tax Year 2025

High School Oyster River

Year Built 2011

School District Oyster River

Building Style Colonial

Features

New Construction No

Basement Full, unfinished

View Little Bay

Floors 2

Roof Metal

Waterfront Yes

Garage 2, Under

Heat/AC FHA-propane; central air

Pool None

Parking 3-4

Fuel Propane

Exterior Wood Clapboard

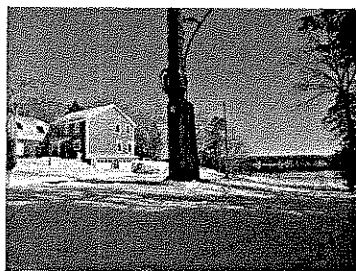
Kitchen Stainless sink, gas stove with hood/fan, stainless refrigerator, island with quartz counter, stainless wall oven

Fireplace None

Bathroom Details Full Bath 3

*SQFT = Total Finished Square Feet

All information provided is deemed reliable but is not guaranteed and should be independently verified.



★ 295 Durham Point Road, Durham, NH 03824

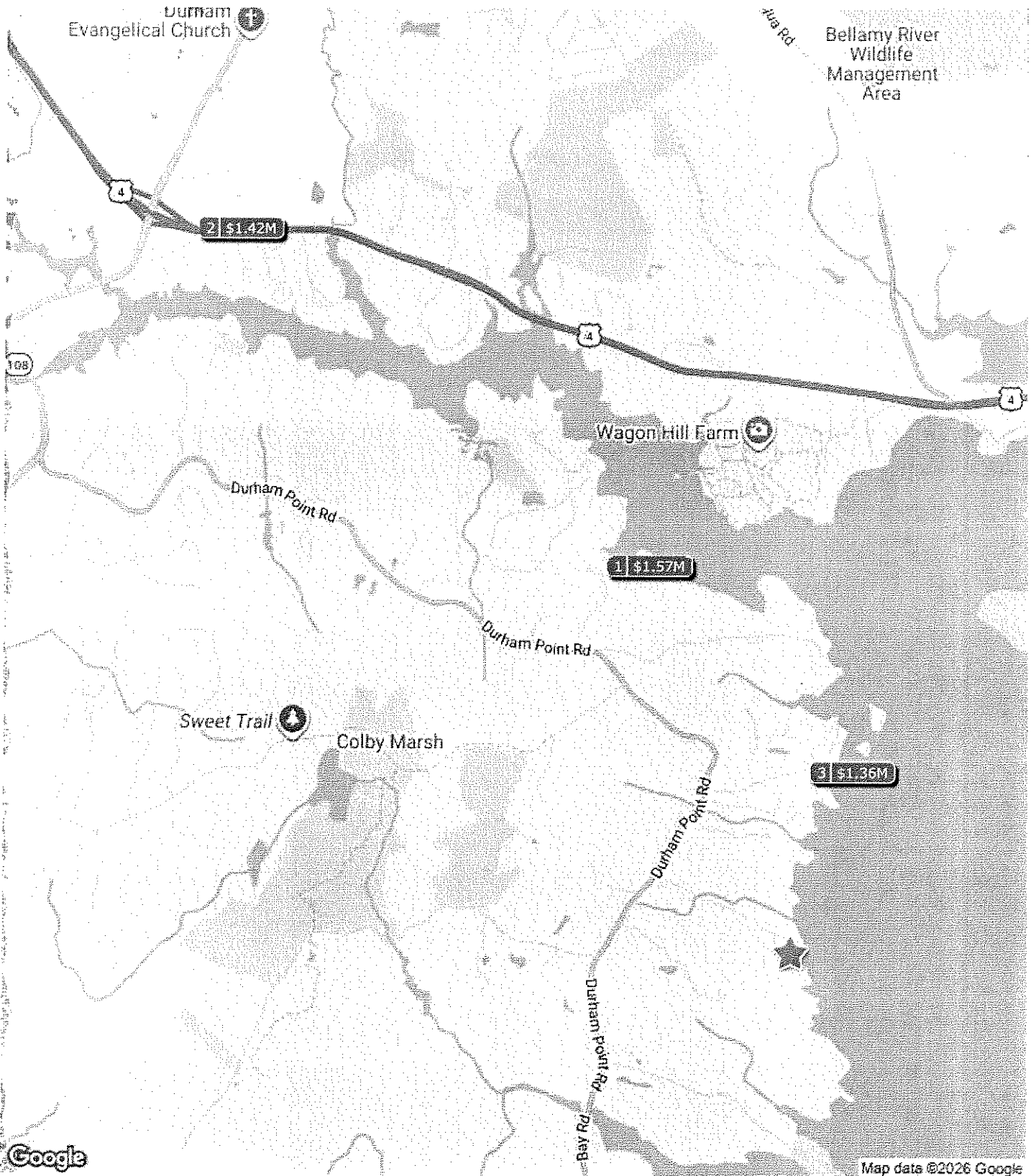
Beds	Bath	SQFT*	Lot Size
3	3	2,736	4 Acres

Remarks

Private 3-bedroom, 3-bath colonial home on 4-acre waterfront lot with sweeping views of Little Bay. The property has over 1,000 feet of tidal frontage on Little Bay but steep slopes make all but a small area inaccessible. The property has a dock permitting deep water access between tides. The residence has an island-kitchen with stainless appliances. There is hardwood throughout the first and second floor with linoleum flooring in the front hallway and all bathrooms. The residence is in good condition and considered by the broker to be average quality. The unfinished full basement includes tankless hot water, 200-amp electric service, a generator and air exchange FHA heat. The 2-car garage under is finished. The property also has a barn with 720 square feet of finished space. The property is encumbered by Eversource easements that cover a 125 foot wide corridor from the driveway to the shoreline; the easement boundary in one section is five-feet from the residence. Further, a large, unsightly transmission tower is sited on the corner of the property; it is the first thing a person sees as they approach. This tower raises questions about secondary health issues. An historic, but also unsightly, cable house lies directly in the view scape, protected by historic ordinance. The dock suffers from seagull dung because the birds are attracted to the extensive oyster farming grounds directly off shore. Finally, the entire property is accessed by a long, narrow shared driveway, in and of itself a negative when marketing properties. In sum, this is an average quality residence on 4 heavily encumbered acres; a waterfront oasis with spectacular Little Bay views that suffers from extensive external functional obsolescence.





*SQFT = Total Finished Square Feet

All information provided is deemed reliable but is not guaranteed and should be independently verified.



■ Sold Properties

All information provided is deemed reliable but is not guaranteed and should be independently verified.

	Address	Price	Beds	Baths	Days	SQFT*	\$/SQFT
★	 295 Durham Point Road Durham, NH 03824		3	3	-	2,736	-
1.	 26 Mathes Cove Road Durham, NH 03824	\$1,570,976	3	3	1	2,204	\$713
2.	 30 Old Piscataqua Road Durham, NH 03824	\$1,416,652	5	4	130	3,572	\$397
3.	 26 Colony Cove Road Durham, NH 03824	\$1,356,648	3	2	86	1,307	\$1,038

*SQFT = Total Finished Square Feet

All information provided is deemed reliable but is not guaranteed and should be independently verified.



SOLD

\$1,570,976 (Adjusted)

List Price: \$1,290,000

Days: 1

Sold Date: 06/05/2025

Original List Price: \$1,290,000

Original Sold Price: \$1,400,000

% of List Price: 109%

Total Adjustments: \$170,976

\$/SQFT: \$713

Listing Courtesy of: PrimeMLS

*SQFT = Total Finished Square Feet

Comparable #1

26 Mathes Cove Road, Durham, NH 03824

Listing Detail

Property Type: Residential

Tax Year: 2023

Building Style: Cape

SQFT Details: Above Fin. 2,204 Total SQFT 2,204

Year Built: 1967

MLS #: 5040513

County: Strafford County

School District: Oyster River Cooperative

Features

Basement: Full, Sump Pump, Stairs - Interior, Storage Space, Finished, Daylight, Concrete Floor, Climate Controlled, Insulated, Walkout, Interior Access, Exterior Access

Fuel: Electric, Gas, Propane

Floors: Carpet, Laminate

View: Yes

Garage: 2

Roof: Shingle - Asphalt

Parking: Parking Spaces 3 - 5, Garage, Paved, Driveway, Direct Access, Attached

Exterior: Garden, Shed, Dock, Natural Shade, Private Dock

Fireplace: Fireplace - Wood, Fireplaces - 3+

Bathroom Details: Full Bath 2, Half Bath 1

Heat: Electric, Gas Heater, Propane, None

Senior Community: No



Beds	Bath	SQFT*	Lot Size
3	3	2,204	3.21 Acres

SOLD**\$1,570,976 (Adjusted)**

List Price: \$1,290,000

Days: 1

Sold Date: 06/05/2025

Original List Price: \$1,290,000

Original Sold Price: \$1,400,000

% of List Price: 109%

Total Adjustments: \$170,976

\$/SQFT: \$713

Listing Courtesy of: PrimeMLS

*SQFT = Total Finished Square Feet

Comparable #1

26 Mathes Cove Road, Durham, NH 03824

Remarks

Waterfront, sandy beach, private dock! Tucked away in a desirable cul-de-sac of Durham sits this rare opportunity, one that doesn't come around often. This well-maintained, original-owner home sits on a 3.2 spacious lot with solid bones and so much potential to make it truly yours. Whether you're dreaming of a full renovation or just adding your personal touch, this home is the perfect canvas. Offering 3 bedrooms, 3 baths, and over 2,200 square feet of living space, the home features spacious rooms, wood fireplace and solid bones, providing the perfect foundation for your updates, renovations, or personal touches. Whether you envision a full transformation or simply modernizing key spaces, the potential here is endless. Enjoy direct water access from your own private sandy beach for boating, kayaking, paddle boarding, and peaceful riverside relaxation, plus abundant nearby trails for hiking, biking, and exploring nature. All this, just minutes to downtown Dover, Portsmouth, UNH, and major commuting routes. Waterfront living, privacy, and proximity to everything — opportunities like this in Durham don't come around often. Bring your vision and make it your own! Home is being sold As-is . CMA Broker's comments: Dramatic sweeping views on the lot, and not encumbered by easements or unsightly structures. Dated, not quite the quality of the subject and no barn. No generator or central air. Incredible sandy beach--very rare.

Adjustments

\$29,400 Time

\$70,000 Inferior Quality

\$25,600 Finished LL

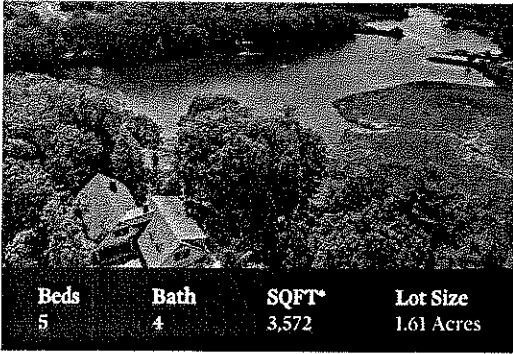
\$5,000 Bathrooms

\$40,000 Barn

-\$100,000 Sandy Beach

-\$15,000 Multiple fireplaces

\$115,976 GLA



Beds	Bath	SQFT*	Lot Size
5	4	3,572	1.61 Acres

SOLD

\$1,416,652 (Adjusted)

List Price: \$1,180,000

Days: 130

Sold Date: 11/07/2025

Original List Price: \$1,437,000

Original Sold Price: \$1,200,000

% of List Price: 102%

Total Adjustments: \$216,652

\$/SQFT: \$397

Listing Courtesy of: PrimeMLS

*SQFT = Total Finished Square Feet

Comparable #2

30 Old Piscataqua Road, Durham, NH 03824

Listing Detail

Property Type: Residential

MLS #: 5045997

Building Style: Cape

School District: Oyster River Cooperative

Year Built: 1974

Elementary School: Moharimet School

County: Strafford County

Middle School: Oyster River Middle School

Tax Year: 2024

High School: Oyster River High School

SQFT Details: Above Fin. 3,572 Total SQFT 3,572

Features

Basement: Crawl Space

View: Yes

Garage: 2

Roof: Asphalt Shingle

Heat: Hot Water, Electric, Oil, None

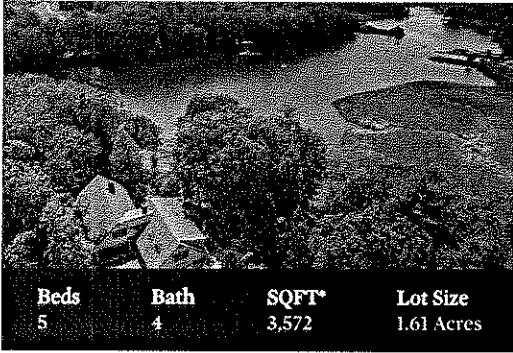
Exterior: Garden, Natural Shade, Boat Mooring, Screened Porch

Fuel: Oil, Electric, Hot Water

Bathroom Details: Full Bath 3, Three Quarter Bath 1

Floors: Carpet, Tile, Wood

Senior Community: No

**SOLD****\$1,416,652 (Adjusted)**

List Price: \$1,180,000

Days: 130

Sold Date: 11/07/2025

Original List Price: \$1,437,000

Original Sold Price: \$1,200,000

% of List Price: 102%

Total Adjustments: \$216,652

\$/SQFT: \$397

Listing Courtesy of: PrimeMLS

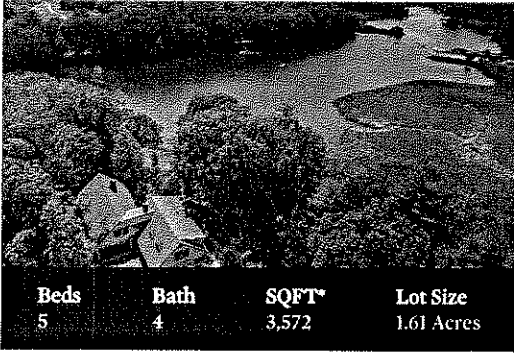
*SQFT = Total Finished Square Feet

Comparable #2

30 Old Piscataqua Road, Durham, NH 03824

Remarks

Perched high above the tranquil banks of the Oyster River, this picturesque 1.61-acre waterfront property with mooring offers 258 feet of direct river frontage and breathtaking views. Built above a small granite quarry, the house is near but above the water, giving it a commanding view. The main level features an updated kitchen with farmers' sink, island, and great natural light. Enjoy meals in the dining room with views of the river. Relax or entertain in the front to back living room with a wood stove. Watch boats drift from your screened-in porch where you can take in the serene beauty of the river and yard. First floor is finished with 2 bedrooms and a newly updated ¾ bath featuring soapstone counters and tiled shower and floor as well as a laundry room. Continue upstairs where you will find a primary en-suite with expansive windows that capture the beauty of the water. A sunny office, an additional en-suite bedroom, a fourth bedroom completes the second floor living area. Need additional space, the large attic provides room for storage or the potential to expand. A legal apartment offers flexibility for guests or rental income with a private entrance, mudroom with laundry, kitchen, living and dining rooms, bedroom, office, and its own patio with River views. Just minutes to downtown Durham and schools, and a short commute to Portsmouth. Living here you will feel like you are on a permanent vacation - this is the waterfront living at its best, simply magical, CMA Broker's remarks-Better quality here lthough not right on the Bay. Bigger house than subject, and no encumbrances,



Beds	Bath	SQFT*	Lot Size
5	4	3,572	1.61 Acres

SOLD

\$1,416,652 (Adjusted)

List Price: \$1,180,000

Days: 130

Sold Date: 11/07/2025

Original List Price: \$1,437,000

Original Sold Price: \$1,200,000

% of List Price: 102%

Total Adjustments: \$216,652

\$/SQFT: \$397

Listing Courtesy of: PrimeMLS

Comparable #2

30 Old Piscataqua Road, Durham, NH 03824

Adjustments

\$10,800 Time

-\$40,000 Bedrooms'

-\$7,500 Bathrooms

-\$5,000 Fireplace

\$60,000 Water frontage

\$75,000 No dock

\$20,000 Utilities

\$40,000 No Barn

-\$156,648 GLA

\$120,000 Location not on Bay

\$100,000 Lot

*SQFT = Total Finished Square Feet



Beds	Bath	SQFT*	Lot Size
3	2	1,307	0.32 Acres

SOLD

\$1,356,648 (Adjusted)

List Price: \$950,000

Days: 86

Sold Date: 10/10/2025

Original List Price: \$990,000

Original Sold Price: \$867,000

% of List Price: 91%

Total Adjustments: \$489,648

\$/SQFT: \$1,038

Listing Courtesy of: PrimeMLS

*SQFT = Total Finished Square Feet

Comparable #3

26 Colony Cove Road, Durham, NH 03824

Listing Detail

Property Type: Residential

MLS #: 5047201

Building Style: Cape

School District: Oyster River Cooperative

Year Built: 1940

Elementary School: Moharimet School

County: Strafford County

Middle School: Oyster River Middle School

Tax Year: 2024

SQFT Details: Above Fin. 1,307 Total SQFT 1,307

High School: Oyster River High School

Features

Basement: Unfinished

Floors: Carpet, Laminate, Wood

Garage: 2

Roof: Asphalt Shingle

Fireplace: 1 Fireplace

Exterior: Deck, Dock, Natural Shade, Screened Porch

Heat: Hot Water, Oil, None

Bathroom Details: Full Bath 1, Half Bath 1

Fuel: Oil, Hot Water

Senior Community: No



Beds	Bath	SQFT*	Lot Size
3	2	1,307	0.32 Acres

SOLD**\$1,356,648 (Adjusted)****List Price:** \$950,000**Days:** 86**Sold Date:** 10/10/2025**Original List Price:** \$990,000**Original Sold Price:** \$867,000**% of List Price:** 91%**Total Adjustments:** \$489,648**\$/SQFT:** \$1,038**Listing Courtesy of:** PrimeMLS

*SQFT = Total Finished Square Feet

Comparable #3

26 Colony Cove Road, Durham, NH 03824





Remarks

Cottage on the Bay! This charming 1940s Cape set on a .32-acre lot along Little Bay in Durham, offering 75 feet of water frontage, a private dock, and deep-water access. Head up the Piscataqua River, into Portsmouth, or out to the open ocean right from your backyard. The home features a family room with stunning views of the bay, where you can watch the sunrise and birds in flight over the tranquil water. A screened porch provides a peaceful place to unwind and take in the natural beauty. Inside, you'll find a traditional layout with a kitchen, dining room, living room, and a family room on the main level. Upstairs, there are three bedrooms and a laundry room. This home is ready for you to put your thumbprint on this piece of coastal charm where who needs to plan a vacation when it's right in your backyard year-round. Don't miss this rare chance to enjoy waterfront living with captivating views and endless potential. CMA Broker's remarks--Selling broker said the key here was the dock. The lot is small as is the frontage. This is basically a cottage in need of complete rehab. No encumbrances.

Adjustments**\$10,404** Time**\$43,450** LOT**\$43,350** FRONTAGE**\$1,500** BATHS**-\$5,000** Fireplace**\$130** Quality**\$20,000** Utilities**\$40,000** No Barn**\$335,814** GLA

				
	295 Durham Point Road Durham, NH 03824	26 Mathes Cove Road Durham, NH 03824	30 Old Piscataqua Road Durham, NH 03824	24 Colony Cove Road Durham, NH 03824
Status	-	Sold	Sold	Sold
MLS #	-	5040513	5045997	5047201
Property Type	Single-Family	Residential	Residential	Residential
Land Tenure	Fee simple with easements	-	-	-
Bedrooms	3	3	5	3
Bathrooms	3.00	3.00	4.00	2.00
Bathroom Details	- Full Bath 3	- Full Bath 2 - 1/2 Bath 1	- Full Bath 3 - 3/4 Bath 1	- Full Bath 1 - 1/2 Bath 1
Sqft*	2,736	2,204	3,572	1,307
Living Area	-	2,204	3,572	1,307
Lot Acres	4 Acres	3.21 Acres	1.61 Acres	0.32 Acres
Year Built	2011	1967	1974	1940
Days on Market	-	1	130	86
List Price	-	\$1,290,000	\$1,180,000	\$950,000
Sold Date	-	06/05/2025	11/07/2025	10/10/2025
Original List Price	-	\$1,290,000	\$1,437,000	\$990,000
Pre-Adjusted Price	-	\$1,400,000	\$1,200,000	\$867,000
Total Adjustment	-	\$170,976	\$216,652	\$489,648
Adjusted Price	-	\$1,570,976	\$1,416,652	\$1,356,648
Sold Price	-	\$1,400,000	\$1,200,000	\$867,000
% Of List Price	-	109%	102%	91%
\$/SqFt	-	\$713	\$397	\$1,038
\$/Lot Acre	\$0.00	\$489,401	\$879,908	\$4,239,525
Tax Amount	\$21,612	-	-	-
Tax Year	2025	2023	2024	2024
Building Style	Colonial	Cape	Cape	Cape
New Construction	No	-	-	-
Fireplace	None	Fireplace - Wood, Fireplaces - 3+	-	1 Fireplace
Kitchen	Stainless sink, gas stove with hood/fan, stainless refrigerator, island with quartz counter, stainless wall oven	-	-	-




All information provided is deemed reliable but is not guaranteed and should be independently verified.

				
Basement	Full, unfinished	Full, Sump Pump, Stairs - Interior, Storage Space, Finished, Daylight, Concrete Floor, Climate Controlled, Insulated, Walkout, Interior Access, Exterior Access	Crawl Space	Unfinished
Garage	2, Under	2	2	2
Parking	3-4	Parking Spaces 3 - 5, Garage, Paved, Driveway, Direct Access, Attached	-	-
Floors	2	Carpet, Laminate	Carpet, Tile, Wood	Carpet, Laminate, Wood
Heat/AC	FHA-propane; central air	Electric, Gas Heater, Propane, None	Hot Water, Electric, Oil, None	Hot Water, Oil, None
Fuel	Propane	Electric, Gas, Propane	Oil, Electric, Hot Water	Oil, Hot Water
Exterior	Wood Clapboard	Garden, Shed, Dock, Natural Shade, Private Dock	Garden, Natural Shade, Boat Mooring, Screened Porch	Deck, Dock, Natural Shade, Screened Porch
Roof	Metal	Shingle - Asphalt	Asphalt Shingle	Asphalt Shingle
Pool	None	-	-	-
View	Little Bay	Yes	Yes	-
Waterfront	Yes	-	-	-
County	Strafford	Strafford County	Strafford County	Strafford County
School District	Oyster River	Oyster River Cooperative	Oyster River Cooperative	Oyster River Cooperative
Elementary School	Oyster River	-	Moharimet School	Moharimet School
Middle School	Oyster River	-	Oyster River Middle School	Oyster River Middle School
High School	Oyster River	-	Oyster River High School	Oyster River High School

*SQFT = Total Finished Square Feet

All information provided is deemed reliable but is not guaranteed and should be independently verified.

	Bed	Bath	SqFt*	Lot Acres	List Price	\$/SqFt	Sale Price	% List \$	Days
★ Subject Property	3	3	2,736	4		-	-	-	

Sold Properties		Bed	Bath	SqFt*	Lot Acres	List Price	\$/SqFt	Sale Price	% List \$	Days
1.	 26 Mathes Cove Road Durham, NH 03824	3	3	2,204	3.21	\$1,290,000	\$713	\$1,400,000	109%	1
2.	 30 Old Piscataqua Road Durham, NH 03824	5	4	3,572	1.61	\$1,180,000	\$397	\$1,200,000	102%	130
3.	 26 Colony Cove Road Durham, NH 03824	3	2	1,307	0.32	\$950,000	\$1,038	\$867,000	91%	86

*SQFT = Total Finished Square Feet

Provided by Your Brokerage. All information provided is deemed reliable but is not guaranteed and should be independently verified.

Sold Properties

Home Averages (3 properties)

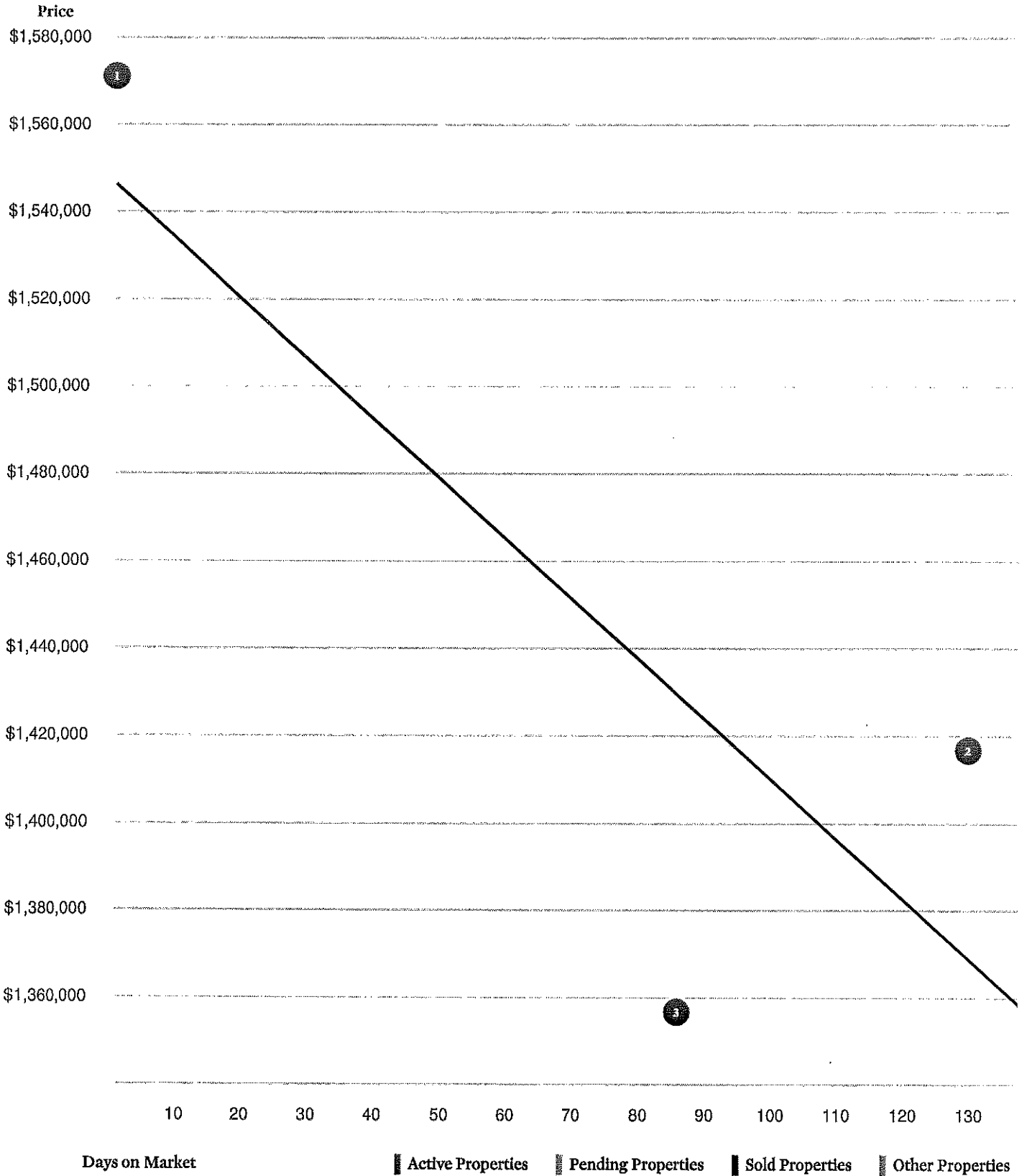
Beds	Baths	SqFt*
3.7	3.00	2,361
\$/SqFt	Lot Acres	\$/Lot Acre
\$716	1.71 Acres	\$1,869,611
Days		
72		

Property Pricing





Avg	\$1,448,092
Med	\$1,416,652
Min	\$1,356,648
Max	\$1,570,976

*SQFT = Total Finished Square Feet

All information provided is deemed reliable but is not guaranteed and should be independently verified.

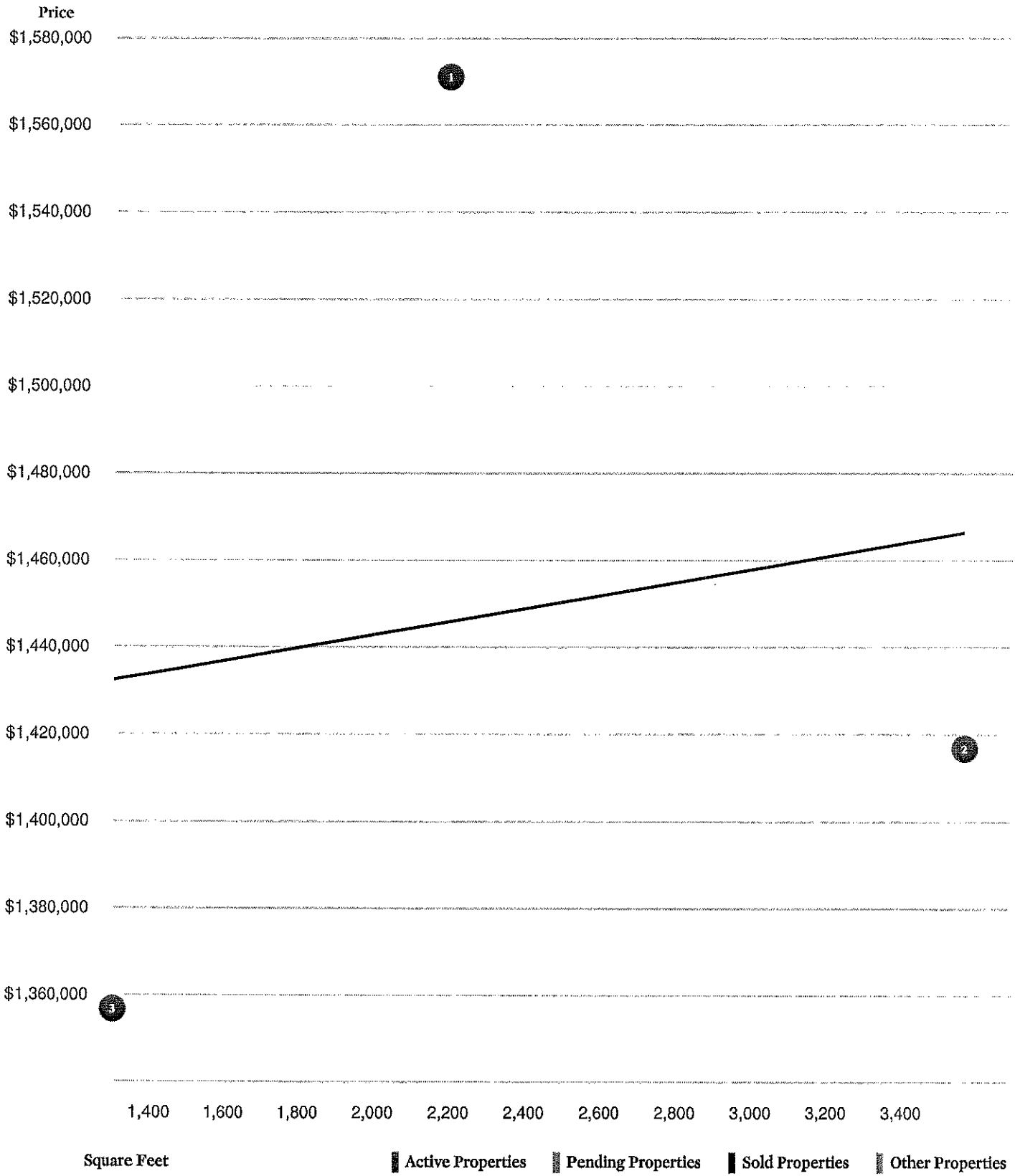


All information provided is deemed reliable but is not guaranteed and should be independently verified.





	Address	Price	Beds	Baths	Days	SQFT*	\$/SQFT
★	 295 Durham Point Road Durham, NH 03824		3	3	-	2,736	-
1.	 26 Mathes Cove Road Durham, NH 03824	\$1,570,976	3	3	1	2,204	\$713
2.	 30 Old Piscataqua Road Durham, NH 03824	\$1,416,652	5	4	130	3,572	\$397
3.	 26 Colony Cove Road Durham, NH 03824	\$1,356,648	3	2	86	1,307	\$1,038

*SQFT = Total Finished Square Feet

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	Address	Price	Beds	Baths	Days	SQFT*	\$/SQFT
★	 295 Durham Point Road Durham, NH 03824		3	3	-	2,736	-
1.	 26 Mathes Cove Road Durham, NH 03824	\$1,570,976	3	3	1	2,204	\$713
2.	 30 Old Piscataqua Road Durham, NH 03824	\$1,416,652	5	4	130	3,572	\$397
3.	 26 Colony Cove Road Durham, NH 03824	\$1,356,648	3	2	86	1,307	\$1,038

*SQFT = Total Finished Square Feet

All information provided is deemed reliable but is not guaranteed and should be independently verified.



Approximate Market Value
\$950,000 - \$1,100,000

★ 295 Durham Point Road, Durham, NH 03824

Details

We have three waterfront comps all of which sold within the last eight months. Appreciation is calculated at .003 percent per month. The key to the subject value here is the impact of the encumbrances on the subject property. To wit--the wide ROW and unsightly transmission tower. Plus the ugly cable house, the invasion of seagulls on the dock and the long, narrow shared driveway, with its challenges to two-way traffic. While the negative impact of the encumbrances is ultimately up to the actions and attitudes of buyers in the market place not under duress, I estimate this as a 30% handicap. I derive this from the median price of waterfront homes sold in Durham in 2021. There were 11 waterfront sales that transferred that year and the median was \$945,000. Despite everything the subject has going for it, the subject sale price was only \$665,000. Hence I derive a 30% impact on value from the encumbrances. The above Market Value range reflects the adjusted comps with 30 percent deductions for the encumbrances. Given those deductions the net prices for each comp are \$1,099,683, \$949,654 and \$991,656 I estimate the subject value to be \$995,000.

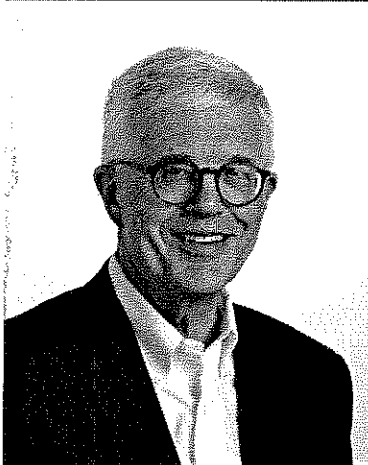
Price Based on Average Sales

Average Price of Sold Comparable Properties	\$1,448,092
---	-------------

Price Based on Square Footage

Average \$/SqFt of Sold Comparable Properties	\$715.79
Total Finished Square Footage of Subject Property	2,736
Price based on square footage of Subject Property	\$1,958,401

All information provided is deemed reliable but is not guaranteed and should be independently verified.

**John Rice**

Associate Real Estate
Broker
HS, BPOR, LAREB, Broker

(603) 964-8028
DIRECT PHONE

(603) 964-8028
OFFICE PHONE

(603) 498-4034
MOBILE PHONE

jrice@tateandfoss.com
EMAIL

566 Washington Road
Rye, NH 03870
ADDRESS

With 52 years of real estate experience, John is a recognized coastal and antique property expert, specializing in the Kittery Point, Maine, Portsmouth and New Castle, N.H, markets.

Philosophy

I enjoy working with buyers and sellers to "Achieve Success Together." To me, this means helping clients navigate through a challenging market, while actively listening and keeping the lines of communication open. I have always enjoyed being part of a service-oriented business. Further, my appraising background helps me accurately estimate value and analyze market trends, a valuable tool for clients whether buying or selling. These skills set me apart from the competition, as well as scrupulous attention to detail, customer service and keeping in touch. I equally enjoy working with buyers and sellers, no matter how large or small the transaction. While I have marketed all kinds of properties, I find myself most often representing homes in Portsmouth's South End, and unique luxury properties on both sides of the Piscataqua.

Experience & Education

Licensed for more than 52 years and a consistent top producer, I joined Tate and Foss in 1992, going on to represent significant properties in Maine and New Hampshire. I am a former Realtor of the Year, president of both the New Hampshire Association of Realtors and Seacoast Board of Realtors, and currently serving as the board's Chief Statistician. I am an oft-quoted spokesperson for the Board. You can hear my podcast Seacoast Realtalk wherever most podcasts are found. A former guidance counselor and military officer, I have developed excellent listening, organizational and time management skills. After 33 years of service, I retired with the rank of Lt. Colonel in 2003 from the U.S. Army Reserves and the New Hampshire Air National Guard. I am a graduate of St. Paul's School, Trinity College (BA-History) and UNH (M.Ed., Counselor Education).

Community & Personality

I have lived in Portsmouth since the 1970's. My first apartment was on Ceres Street, right across from the tugboats! My son Thomas is married and lives in Shelburne, Nova Scotia. I have a handsome grandson—Wyatt John Rice. Back home, I am "dad" to a husky-lab mix rescue pup, Tuck. Over the years, I climbed all of New Hampshire's 48, 4,000-foot mountains with two other great Rice dogs. The Seacoast is beautiful and vibrant. I belong to Rotary, where I edit the Rotary Log. I am Vice President of Portsmouth Pro Musica. A proprietor of the Portsmouth Athenaeum, I served Portsmouth as Historic District Commission chair and Planning Board vice-chair. Outside of the city, I formerly served on the Alumni Association Executive Committee of St. Paul's School. I have just been appointed as a trustee of the Rosamond Thaxter Foundation. I am a member of the UNH Wildcat Club and major contributor to the hockey and football programs. I am a dedicated season ticket holder at the Granite Bowlhouse.

All information provided is deemed reliable but is not guaranteed and should be independently verified.



< [Back](#)

Durham, NH



Sorry, we have no imagery here.

Fly around

Off Market

3 bed 2.5 bath 2,992 sqft 3.66 acre lot

295 Durham Point Rd, Durham, NH 03824

[View on Map](#)



Single Family

Property type



2011

Year built



\$665K in 2021

Last sold



\$222

Price per sqft



3 Car

Garage

[View as owner](#)

[Share](#)

295 Durham Point Rd, Durham, NH 03824



Interested in selling 295 Durham Point Rd?

Estimated value*

\$967,600

*Estimation is calculated based on tax assessment records, recent sale prices of comparable properties, and other factors.

[See your offers](#)

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Boyd Watkins

Keller Williams Coastal and Lakes & Mountains ... #072311

31 Sold 9 years Experience

[View proposal](#)



Featured

Melinda Torrens

eXp Realty #DB811085

8 Sold 24 years Experience N/A - \$100M Price range

[View proposal](#)

Property details



Interior

295 Durham Point Rd, Durham, NH 03824



Bedrooms

- Bedrooms: 3

OFF MARKET— SOLD MAR 2021 FOR \$665,000

\$1,092,548 Est. refl payment \$3,796/mo—See my rate

3 bd • 2.5 ba • 2,992 sq ft

295 Durham Point Rd, Durham, NH 03824



Estimated sale price

\$1.04M – \$1.26M

Reach more buyers when you sell with Redfin. Plus, you'll save **\$10,925** in fees.

Schedule a selling consultation

Get an in-depth report about your home value and the Durham market.

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Claim home to manage this property



View dashboard



Edit facts



Manage photos

About this home

Great opportunity awaits on the shores of Little Bay! This 3 bedroom, 3 bath Colonial home with over 1080 feet of frontage on Little Bay is ready for new ownership! Open concept and large windows to enjoy the expansive views of the water. Hardwood floors throughout, updated kitchen with beautiful dark cabinets, large bedrooms, 2 car garage under, and a huge 2nd attached garage with bonus finished room above. The home is

Show more



Single-family
Property Type



2011
Year Built



3.66 acres
Lot Size



\$365
Est. Price/Sq Ft.



3 car garage
Parking

Listed by Danielle Jameson • KW Coastal and Lakes & Mountains Realty
Bought with Manuela Kutzer • Tate & Foss Sotheby's International Rity

Redfin checked: a minute ago • Source: PrimeMLS #4842834

Redfin Estimate

\$1,092,548

▲ \$428K since sold in March 2021



Recently sold homes



Estimate history



Homes for sale



\$770,000

A

3 beds 2.5 baths 2,865 sq ft
163 Durham Point Rd, Durha...



\$1,700,000

B

3 beds 2 baths 2,192 sq ft
127 Fox Point Rd, Newington,...



\$1,100,000

C

3 beds 2.5 baths 2,829 sq ft
25 Shore Ln, Dover, NH 03820



< Back to search

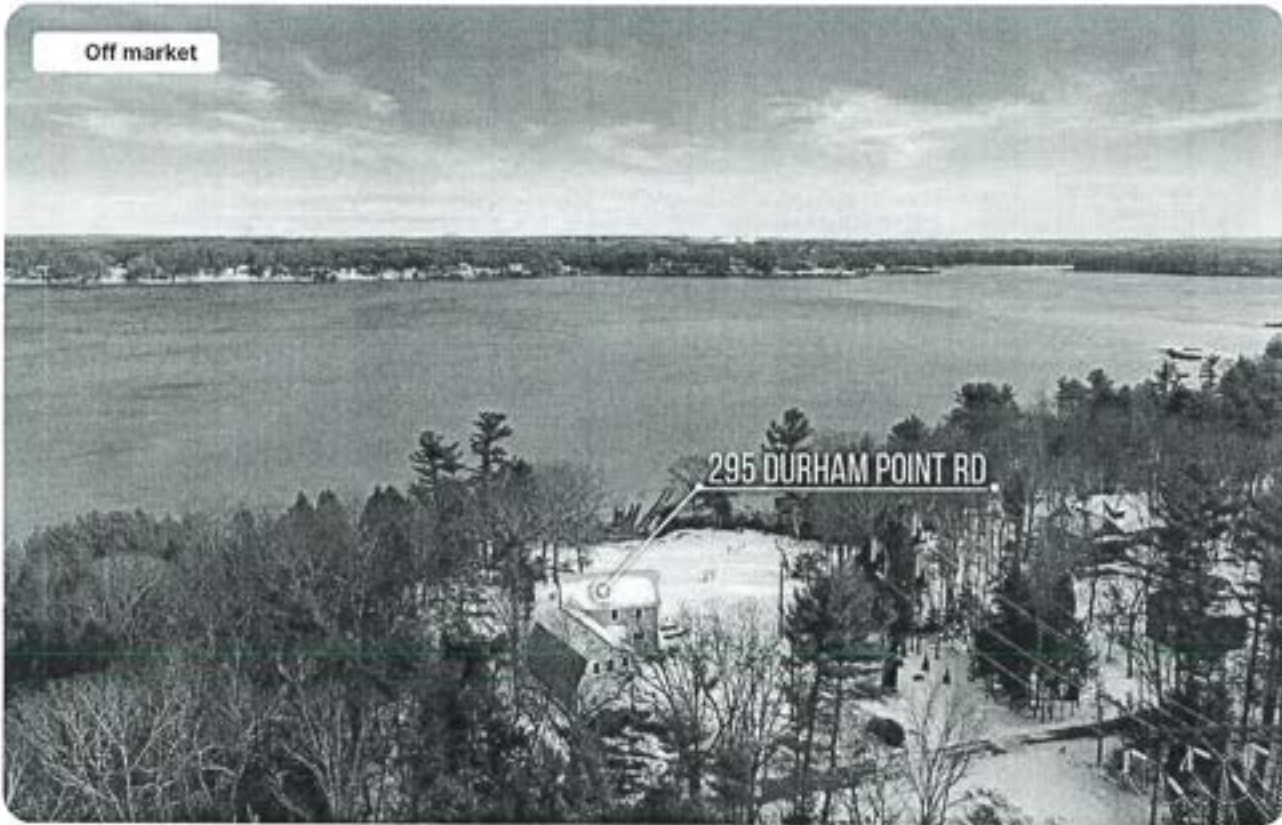


♡ Save

📄 Share

☰ More

Off market



Zestimate®

\$1,010,200

295 Durham Point Rd, Durham, NH 03824

3

beds

3

baths

2,992

sqft

Est. refi payment: \$6,556/mo Refinance your loan

SingleFamily

Built in 2011

3.66 Acres Lot

\$1,010,200 Zestimate®

\$338/sqft

\$5,097 Estimated rent

Home value

Zestimate®

\$1,010,200



*TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-8064
Fax: 603/868-8033*

ABATEMENT RECOMMENDATION

DATE: June 15, 2026

TOWN OF: Durham

TO: Town Council

FROM: Darcy Freer, CNHA

OWNER: Miller Family Revocable Trust
297 Durham Point Road
Durham, NH 03824

REPRESENTATIVE: N/A

PROPERTY LOCATION: 283 Durham Point Road, Durham, NH 03824

PID: 227-16

PROPERTY TAX YEAR(S) APPEALED: 2025

APPLICATION FILING DATE: 2/12/26

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$1,801,600

Municipalities may abate taxes “for good cause shown.” RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property’s “equalized assessment” exceeded the property’s market value. To calculate the equalized assessment, simply divide the assessment by the municipality’s equalization ratio (assessment ÷ ratio). Because a property’s market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**



REASON FOR APPEAL: The owner has applied for an abatement of their 2025 property taxes because they state that the land assessment is unsupported by market data and disproportionate. Additionally, they state that their property has a disproportionate share of the municipal tax burden due to the perceived underassessment of large student housing projects.

ASSESSORS COMMENTS: The subject property is a cape which is situated on 1.75 acres of land, with approximately 150' of frontage on Little Bay. The home was constructed in 2014, has 2,735 sf of living area above grade and a garage with 504 sf of living area, and is considered to be in overall average condition relative to its age.

The abatement application included a list of sales that the applicant utilized to perform the land allocation method to arrive at a land value for the parcel. The applicant believes these are comparable, and while some may be comparable, no adjustment was made for the location or the body of water of the selected sales. The application also makes a statement that this property is not waterfront, but rather a waterview parcel. This statement is false and misleading, as this property is situated directly on *Little Bay*.

The applicant makes a disproportionality argument for several properties whose values are based upon settlement agreements. Although the Town believes these properties to be at market value, these are not the only properties that should be utilized to prove disproportionality. The aforementioned settlement agreements, and the subsequent assessed values, stemmed from numerous student housing appeals from the 2023 Revaluation. To arrive at the agreed upon settlement values numerous professionals and countless hours were spent analyzing data including national publications, northeast university/college enrollment trends including the actualized enrollment decline at UNH, and the UNH specific requirement for a larger portion of the student population to reside on campus. While the application does correctly state that student housing projects trade in a value range, the capacity of each project, location including the proximity to campus, and the requirements of each university/college must be considered to accurately assess the property.

A full interior and exterior inspection of the property was performed on 3/18/2026 to confirm and/or correct all data points on the property record card. At this time, the sketch and dock measurements were corrected, which resulted in an overall positive adjustment to the property

RECOMMENDATION: After thoroughly reviewing the property, including all elements of value, based upon the above information, I recommend the Council **DENY** the abatement request.

RECEIVED
Town of Durham
FEB 12 2026

FOR MUNICIPALITY USE ONLY:
Town File No.: <u>25-14</u>
Taxpayer Name: <u>Miller</u>

Administration Office

TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): Miller Family Recovable Trust

Mailing Address: 297 Durham Point Road, Durham, NH 03824

Telephone Nos.: (Home) _____ (Cell) 603.969.9028 (Work) _____ (Email) vivtarazimiller@gmail.com

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): _____

Mailing Address: _____

Telephone Nos.: (Home) _____ (Cell) _____ (Work) _____ (Email) _____

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>
227-16	297 Durham Point Rd., Durham	Single Family	\$1,801,600

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. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

Please see attached.

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# 227-16 Appeal Year Market Value \$ 1,315,980

Town Parcel ID# _____ Appeal Year Market Value \$ _____

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

Please see attached.

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

Please see 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 641:3 the application has a good faith basis and the facts stated are true to the best of my/our knowledge.

Date: 2-12-2026

Jeffrey Miller
(Signature)

JEFFREY MILLER
(Print Name)

Vivian Miller
(Signature)

VIVIAN MILLER
(Print Name)

SECTIONS E, F & G

Market Data

The property's underlying land assessment is unsupported by market data and disproportionate which then skews the overall assessed value of the property. The parcel is an irregular shaped with limited developability due to its shape, topography, and setbacks. While the property is technically waterfront there is no practical use of the waterfront due to tidal mud flats and topography. In essence, the parcel is a water view lot without deep water access.

There is no sale data to support the land assessment. Given the lack of vacant land sales in Durham on Great Bay and its tributaries, improved sales were analyzed in the revaluation to allocate land value. In land allocation, the contributory value of the improvements is deducted from the overall sale price to arrive at an allocated value for the land. The summary below reflects data taken from the tax assessment cards. The contributory value of the building was also taken from the tax assessment card. In addition to the town's analysis that includes seven improved sales, there was a vacant parcel of land that sold in an arm's length transaction that has been included on the last line in the summary of sale data below.

Tax ID	Address	Acreage	Frontage	House SF	Sale Date	Sale Price	Building	Bldg/SF	Residual
214-17	59 Durham Point	2.53	192	3,271	6/10/24	\$1,750,000	\$629,600	\$192	\$1,120,400
239-9	561 Bay	1.51	view	n/a	5/1/23	\$875,000	\$0	\$0	\$875,000
232-106	250 Newmarket	13.20	4,000	3,136	9/13/24	\$1,600,000	\$661,800	\$211	\$938,200
232/100	278 Newmarket	2.46	380	1,512	7/16/24	\$739,933	\$383,900	\$254	\$356,033
108/86	22 Newmarket	0.68	175	2,907	4/7/23	\$925,000	\$488,900	\$168	\$436,100
216/7	32 Back River	2.90	view	1,190	3/27/25	\$450,000	\$156,900	\$132	\$293,100
239/18	595 Bay	1.93	350	1,128	8/21/24	\$1,395,000	\$378,000	\$335	\$1,017,000
227/11	281 Durham Point	15.00	255	n/a	12/13/24	\$1,000,000	\$0	\$0	\$1,000,000

Unlike traditional waterfront property where the shoreline is usable (i.e. good topography, deep water, sandy beach, etc.), the sale data reflects waterview parcels more than waterfront since the frontage is difficult and mostly unusable. Thus, regardless of the amount of acreage or shoreline, the residual land values indicate there is minimal difference between a smaller lot with less amount of waterfrontage compared to a larger lot with extensive shoreline. The price paid in the marketplace is based on a developable parcel of land with minimal consideration for excess land or waterfrontage.

The sale located at 281 Durham Point was acquired by the abutter. The sale was an auction type transaction with multiple bidders. The next highest bidder was at \$800,000. Therefore, the abutter paid a 20% premium for assemblage purposes. As a result, the market transacted price without assemblage premium calculates to \$800,000.

Five of the sales above (59 Durham, 561 Bay, 250 Newmarket, 595 Bay, and 281 Durham) have a tight range of allocated land value from \$875,000 to \$1,120,400. The average calculates to \$950,120. Deducted from this value is the 30% adjustment found on the tax assessment card for concrete mattress and high voltage transmission lines that are visible. This represents the market derived assessed value for a waterfront lot. The sale data indicates that the land is overassessed.

Disproportionality

The property is disproportionately assessed and has a disproportionate share of the municipal tax burden. There are other real estate segments in Durham that are underassessed and as a

result do not pay a proportionate share of the tax burden. The following are several examples of disproportionality.

The Cottages of Durham is a 619 bed student housing project located at 100 Clubhouse Street in Durham. It is an investment grade property owned by Blackstone. It is further identified as Map 203, Lot 7. The current 2025 assessment is as follows:

Improvements	\$43,338,770
Land	<u>\$9,285,000</u>
Total Assessment	\$52,623,700
2025 Annual Tax Liability	\$993,009

The assessment calculates to \$85,014 per bed. Institutional grade, purpose built student housing trades in the range of \$95,000 to \$120,000 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 10.3% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements	\$52,900,400
Land	<u>\$5,756,200</u>
Total Assessment	\$58,656,600

The Lodges at West Edge is a 486 bed student housing projected located at 259 Mast Road in Durham. It is an investment grade property. It is further identified as Map 210, Lot 10. The current 2025 assessment is as follows:

Improvements	\$42,100,000
Land	<u>\$6,900,000</u>
Total Assessment	\$49,000,000
2025 Annual Tax Liability	\$924,630

The assessment calculates to \$100,823 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 10.6% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements	\$30,785,500
Land	<u>\$24,053,500</u>
Total Assessment	\$54,839,000

25 & 35 Main Street in Durham is a 231 bed student housing project located in downtown Durham. It is an investment grade property owned by Torrington. It is further identified as Map 108, Lot 14. The current 2025 assessment is as follows:

Improvements	\$14,768,400
Land	<u>\$5,910,000</u>
Total Assessment	\$20,678,400
2025 Annual Tax Liability	\$390,201

The assessment calculates to \$89,517 per bed. Institutional grade, purpose built student housing trades in the range of \$95,000 to \$120,000 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 1.6% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements	\$13,084,000
Land	<u>\$7,937,900</u>
Total Assessment	\$21,021,900

The assessment data clearly demonstrates that a large, student housing projects that have significant value and generate significant tax revenue for Durham are underassessed. Furthermore, student housing rates increased 3 to 4% year over year from 2024 to 2025. The result is that other market segments, including residential waterfront property, are carrying a disproportionate share of the tax burden. As the data indicates, the disproportionality calculates to approximately 10%.

Summary

Current Assessment

Improvements	\$797,200
Land	<u>\$1,004,400</u>
Total Assessment	\$1,801,600

Correct Proportionate Assessment

Improvements (-10% disproportionality)	\$717,480
Land (\$950,000 market data -30% adj., - 10% disproportionality) .	<u>\$598,500</u>
Total Assessment	\$1,315,980

Abatement Request

Current Assessment	\$1,801,600
Correct Proportionate Assessment	<u>\$1,315,980</u>
Abatement	\$485,620



*TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-8064
Fax: 603/868-8033*

ABATEMENT RECOMMENDATION

DATE: June 15, 2026

TOWN OF: Durham

TO: Town Council

FROM: Darcy Freer, CNHA

OWNER: Thomas A Decapo
Yael D Decapo
315 Durham Point Road
Durham, NH 03824

REPRESENTATIVE: N/A

PROPERTY LOCATION: 313&315 Durham Point Road, Durham, NH 03824

PID: 227-19

PROPERTY TAX YEAR(S) APPEALED: 2025

APPLICATION FILING DATE: 2/24/26

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$2,337,177

Municipalities may abate taxes “for good cause shown.” RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property’s “equalized assessment” exceeded the property’s market value. To calculate the equalized assessment, simply divide the assessment by the municipality’s equalization ratio (assessment ÷ ratio). Because a property’s market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**



REASON FOR APPEAL: The owner has applied for an abatement of their 2025 property taxes because they state that the land assessment is unsupported by market data and disproportionate. Additionally, they state that their property has a disproportionate share of the municipal tax burden due to the perceived underassessment of large student housing projects. The owner has also indicated that according to *Marshall and Swift Valuation Service* manual the amount of depreciation of the building is incorrect.

ASSESSORS COMMENTS: The subject property consists of multiple houses which are situated on 75.8 acres of land, with 66.8 acres enrolled in current use assessment. The property has approximately 1,975' of frontage on Little Bay. The main home was constructed in 1898, has 3,358 sf of living area above grade and 1,948 sf of finished basement, and is considered to be in overall good condition relative to its age. The secondary home was constructed in 1920, has 3,226 sf of living area above grade, and is considered to be in overall good condition relative to its age.

The abatement application included a list of sales that the applicant utilized to perform the land allocation method to arrive at a land value for the parcel. The applicant believes these are comparable, and while some may be comparable, no adjustment was made for the location or the body of water of the selected sales. The application also makes a statement that this property is not waterfront, but rather a waterview parcel. This statement is false and misleading, as this property is situated directly on *Little Bay*.

The applicant makes a disproportionality argument for several properties whose values are based upon settlement agreements. Although the Town believes these properties to be at market value, these are not the only properties that should be utilized to prove disproportionality. The aforementioned settlement agreements, and the subsequent assessed values, stemmed from numerous student housing appeals from the 2023 Revaluation. To arrive at the agreed upon settlement values numerous professionals and countless hours were spent analyzing data including national publications, northeast university/college enrollment trends including the actualized enrollment decline at UNH, and the UNH specific requirement for a larger portion of the student population to reside on campus. While the application does correctly state that student housing projects trade in a value range, the capacity of each project, location including the proximity to campus, and the requirements of each university/college must be considered to accurately assess the property.

A full interior and exterior inspection of the property was performed on 3/31/2026 to confirm and/or correct all data points on the property record card. At this time, the sketches were updated, AC was added to the main home, and all outbuildings were corrected/updated, which resulted in both positive and negative adjustments to the property. The main house was adjusted for water damage that was in the process of being repaired. This adjustment will require an annual review to check for completion. The secondary home has a substantial portion of the building which requires repair, for this an additional depreciation was added for the abnormal physical depreciation and layout of the building. This will also require an annual review. Additionally, the land assessment has been carefully reviewed to assure that the areas within the building envelope are appropriately accounted for and the assessed value of the acres not in current use are in as excess acre values. The power line easement is within the land that is valued as

current use, and therefore an adjustment was applied to this land line. Also during the review the current use land was corrected per the most recent map provided by the taxpayer.

RECOMMENDATION: Based upon the above information, I recommend reducing the overall assessments from \$2,337,177 to \$2,296,167 and granting the abatement for the assessed value differences of \$41,010. This calculates to an abatement of **\$788.25** including interest (interest is calculated to a repayment date of July 10, 2026, and is subject to change per tax collector). If the taxes have not been paid, then no refund or interest is due.

RECEIVED
Town of Durham

FEB 24 2026

Planning, Zoning
and Assessing

FOR MUNICIPALITY USE ONLY:

Town File No.: 25-26

Taxpayer Name: DeCapo

TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): Thomas A. & Yael D. DeCapo

Mailing Address: 315 Durham Point Road, Durham, NH 03824

Telephone Nos.: (Home) _____ (Cell) 917.859.4848 (Work) _____ (Email) decaposfh@gmail.com

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): _____

Mailing Address: _____

Telephone Nos.: (Home) _____ (Cell) _____ (Work) _____ (Email) _____

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>
227-19	313 & 315 Durham Pt. Rd., Durham	Single Family	\$2,337,177

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. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

Please see attached.

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# 227-19 Appeal Year Market Value \$ 1,136,906

Town Parcel ID# _____ Appeal Year Market Value \$ _____

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

Please see attached.

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
-----------------	----------------	-------------------------	-------	------------

Please see 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 641:3 the application has a good faith basis and the facts stated are true to the best of my/our knowledge.

Date: 2/23/26



(Signature)

THOMAS A. DeCapo

(Print Name)



(Signature)

Yael DeCapo

(Print Name)

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 641:3:

- 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: _____
_____ _____
(Representative's Signature) (Print Name)

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: _____

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

SECTIONS E, F & G

Market Data

The property's underlying land assessment is unsupported by market data and disproportionate which then skews the overall assessed value of the property. The parcel is an irregular shaped with limited developability due to its shape, topography, current use status, and conservation easement. While the property is technically waterfront there is no practical use of the waterfront due to tidal mud flats and topography. Both houses are located far from the water and have no direct view of the water. In essence, the parcel is a water view lot at best.

There is no sale data to support the land assessment. Given the lack of vacant land sales in Durham on Great Bay and its tributaries, improved sales were analyzed in the revaluation to allocate land value. In land allocation, the contributory value of the improvements is deducted from the overall sale price to arrive at an allocated value for the land. The summary below reflects data taken from the tax assessment cards. The contributory value of the building was also taken from the tax assessment card. In addition to the town's analysis that includes seven improved sales, there was a vacant parcel of land that sold in an arm's length transaction that has been included on the last line in the summary of sale data below.

Tax ID	Address	Acreage	Frontage	House SF	Sale Date	Sale Price	Building	Bldg/SF	Residual
214-17	59 Durham Point	2.53	192	3,271	6/10/24	\$1,750,000	\$629,600	\$192	\$1,120,400
239-9	561 Bay	1.51	view	n/a	5/1/23	\$875,000	\$0	\$0	\$875,000
232-106	250 Newmarket	13.20	4,000	3,136	9/13/24	\$1,600,000	\$661,800	\$211	\$938,200
232/100	278 Newmarket	2.46	380	1,512	7/16/24	\$739,933	\$383,900	\$254	\$356,033
108/86	22 Newmarket	0.68	175	2,907	4/7/23	\$925,000	\$488,900	\$168	\$436,100
216/7	32 Back River	2.90	view	1,190	3/27/25	\$450,000	\$156,900	\$132	\$293,100
239/18	595 Bay	1.93	350	1,128	8/21/24	\$1,395,000	\$378,000	\$335	\$1,017,000
227/11	281 Durham Point	15.00	255	n/a	12/13/24	\$1,000,000	\$0	\$0	\$1,000,000

Unlike traditional waterfront property where the shoreline is usable (i.e. good topography, deep water, sandy beach, etc.), the sale data reflects waterview parcels more than waterfront since the frontage is difficult and mostly unusable. Thus, regardless of the amount of acreage or shoreline, the residual land values indicate there is minimal difference between a smaller lot with less amount of waterfrontage compared to a larger lot with extensive shoreline. The price paid in the marketplace is based on a developable parcel of land with minimal consideration for excess land or waterfrontage.

The sale located at 281 Durham Point was acquired by the abutter. The sale was an auction type transaction with multiple bidders. The next highest bidder was at \$800,000. Therefore, the abutter paid a 20% premium for assemblage purposes. As a result, the market transacted price without assemblage premium calculates to \$800,000.

Five of the sales above (59 Durham, 561 Bay, 250 Newmarket, 595 Bay, and 281 Durham) have a tight range of allocated land value from \$875,000 to \$1,120,400. The average calculates to \$950,120. This represents the market derived assessed value for a waterfront lot. Since much of the parcel is encumbered by a conservation easement and/or current use, the primary site that is identified as 1 acre on the tax assessment card carries the majority of value. The sale data indicates that the land is overassessed considering that

most land is encumbered by current use and a conservation easement. Furthermore, the two houses sit far from the waterfront and have no direct waterview.

Disproportionality

The property is disproportionately assessed and has a disproportionate share of the municipal tax burden. There are other real estate segments in Durham that are underassessed and as a result do not pay a proportionate share of the tax burden. The following are several examples of disproportionality.

The Cottages of Durham is a 619 bed student housing project located at 100 Clubhouse Street in Durham. It is an investment grade property owned by Blackstone. It is further identified as Map 203, Lot 7. The current 2025 assessment is as follows:

Improvements.....	\$43,338,770
Land	<u>\$9,285,000</u>
Total Assessment.....	\$52,623,700
2025 Annual Tax Liability	\$993,009

The assessment calculates to \$85,014 per bed. Institutional grade, purpose built student housing trades in the range of \$95,000 to \$120,000 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 10.3% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements.....	\$52,900,400
Land	<u>\$5,756,200</u>
Total Assessment.....	\$58,656,600

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Improvements.....	\$42,100,000
Land	<u>\$6,900,000</u>
Total Assessment.....	\$49,000,000
2025 Annual Tax Liability	\$924,630

The assessment calculates to \$100,823 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 10.6% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements.....	\$30,785,500
Land	<u>\$24,053,500</u>
Total Assessment.....	\$54,839,000

that effectively renders a portion of the parcel unusable. Therefore, the appropriate discount for the two significant rights of way is 30%.

Summary

Current Assessment

Improvements.....	\$1,150,300
Land	<u>\$1,186,877</u>
Total Assessment.....	\$2,337,177

Correct Proportionate Assessment

Improvements Main House (63% dep., -15% func., -10% disproportionality)	\$291,449
Improvements Guest House (63% dep., -10% disproportionality)	\$154,458
Xf (-10% disproportionality).....	\$27,090
Ob (-10% disproportionality & \$0 value for shed (tear down))	\$24,030
Primary Acre (\$950,000 market data - 10% disproportionality, -30% ROW) ..	\$598,500
Other Land (-10% disproportionality)	<u>\$41,379</u>
Total Assessment.....	\$1,136,906

Abatement Request

Current Assessment	\$2,337,177
Correct Proportionate Assessment.....	<u>\$1,136,906</u>
Abatement	\$1,200,271

February 23, 2026

Assessor's Office
Attention: Darcy Freer
Town of Durham
8 Newmarket Rd.
Durham, NH 03824

Dear Ms Freer,

Attached please find Taxpayer Abatement Applications for town parcel 227-20 and town parcel 227-19. Please date stamp and return the enclosed duplicate copy. In the event that this application is deficient for any reason we request notice to the below phone number and an opportunity to cure,

N/A

Thank you very much.


Thomas DeCapo

Thomas DeCapo

+19178594848

Cc:
Jennifer L. Parent, McLane Middleton

Town of Durham, NH
Property Tax Bill Calculation

Owner Thomas A & Yael D Decapo
PID 227-19
Address 313&315 Durham Point Road

WHAT WAS TAXED

Total Assessed Value	1,687,145	2,337,177
Exemption (solar,)		
Value Tax Applied To:	<u>1,687,145.00</u>	<u>2,337,177.00</u>

Credit (veterans,)

Tax Bill#:	119852	121313
PropTax Issue 1 st or 2 nd	1	2
Due Date:	7/2/2025	1/12/2026
Paid Date:	7/2/2025	1/11/2026

Tax Rate Applied:

Town	2.875	5.120
County	0.925	1.900
Local School	5.760	10.790
State School	0.605	1.060
Total Rate	<u>10.165</u>	<u>18.870</u>

tax will be roughly 17,149.83 44,102.53

Resulting in Taxes of:

Town	4,851.00	11,966.00
County	1,561.00	4,441.00
Local School	9,718.00	25,218.00
State School	1,021.00	2,477.00
Tax Calculated	<u>17,151.00</u>	<u>44,102.00</u>

Less Credit & 1st Bill
is the Amount Billed: 17,151.00 26,951.00

WHAT SHOULD HAVE BEEN TAXED

Total Assessed Value	1,687,145	2,296,167
Exemption (solar,)	-	-
Value Tax Applied To:	<u>1,687,145.00</u>	<u>2,296,167.00</u>

Credit (veterans,) - -

Tax Bill#:	119852	121313
PropTax Issue 1 st or 2 nd	1	2
Due Date:	7/2/2025	1/12/2026
Paid Date:	7/2/2025	1/11/2026

Tax Rate Applied:

Town	2.875	5.120
County	0.925	1.900
Local School	5.760	10.790
State School	0.605	1.060
Total Rate	<u>10.165</u>	<u>18.870</u>

tax will be roughly 17,149.83 43,328.67

Resulting in Taxes of:

Town	4,851.00	11,756.00
County	1,561.00	4,363.00
Local School	9,718.00	24,776.00
State School	1,021.00	2,434.00
Tax Calculated	<u>17,151.00</u>	<u>43,329.00</u>

Less Credit & 1st Bill
is the Amount Billed: 17,151.00 26,178.00

WHAT SHOULD BE ABATED

Difference in Billed-SHB = Abate	-	773.00	773.00 = To Be Abated
RSA 76:17-a Rate of Interest Pybl	4.00%	4.00%	
Enter Date Town will Payback	6/19/2026	7/10/2026	
Number of Days of Interest =	352	180	
Interest Payable	-	15.25	15.25 = Interest Owed
Less Previously Abated Amount of			
Total To Be Abated	-	788.25	788.25



*TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-8064
Fax: 603/868-8033*

ABATEMENT RECOMMENDATION

DATE: June 15, 2026

TOWN OF: Durham

TO: Town Council

FROM: Darcy Freer, CNHA

OWNER: Yael D Decapo
315 Durham Point Road
Durham, NH 03824

REPRESENTATIVE: N/A

PROPERTY LOCATION: Durham Point Road, Durham, NH 03824

PID: 227-20

PROPERTY TAX YEAR(S) APPEALED: 2025

APPLICATION FILING DATE: 2/24/26

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$537,622

Municipalities may abate taxes “for good cause shown.” RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property’s “equalized assessment” exceeded the property’s market value. To calculate the equalized assessment, simply divide the assessment by the municipality’s equalization ratio (assessment ÷ ratio). Because a property’s market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**



REASON FOR APPEAL: The owner has applied for an abatement of their 2025 property taxes because they state that the land assessment is unsupported by market data and disproportionate. Additionally, they state that their property has a disproportionate share of the municipal tax burden due to the perceived underassessment of large student housing projects. The owner has also indicated that according to *Marshall and Swift Valuation Service* manual the amount of depreciation of the building is incorrect.

ASSESSORS COMMENTS: The subject property is an accessory (out) building which is situated on 68.3 acres of land, with 67.2 acres enrolled in current use assessment. The property has approximately 2,560' of frontage on Little Bay.

The abatement application included a list of sales that the applicant utilized to perform the land allocation method to arrive at a land value for the parcel. The applicant believes these are comparable, and while some may be comparable, no adjustment was made for the location or the body of water of the selected sales. The application also makes a statement that this property is not waterfront, but rather a waterview parcel. This statement is false and misleading, as this property is situated directly on *Little Bay*.

The applicant makes a disproportionality argument for several properties whose values are based upon settlement agreements. Although the Town believes these properties to be at market value, these are not the only properties that should be utilized to prove disproportionality. The aforementioned settlement agreements, and the subsequent assessed values, stemmed from numerous student housing appeals from the 2023 Revaluation. To arrive at the agreed upon settlement values numerous professionals and countless hours were spent analyzing data including national publications, northeast university/college enrollment trends including the actualized enrollment decline at UNH, and the UNH specific requirement for a larger portion of the student population to reside on campus. While the application does correctly state that student housing projects trade in a value range, the capacity of each project, location including the proximity to campus, and the requirements of each university/college must be considered to accurately assess the property.

An exterior inspection of the property, including all outbuildings, was performed on 3/31/2026 to confirm and/or correct all data points on the property record card. At this time, all measurements were corrected, which resulted in both positive and negative adjustments to the property. Additionally, the land

assessment has been carefully reviewed to assure that the areas within the building envelope are appropriately accounted for and the assessed value of the acres not in current use by the water are in as excess acre values.

RECOMMENDATION: Based upon the above information, I recommend reducing the overall assessments from \$537,622 to \$537,041 and granting the abatement for the assessed value differences of \$581. This calculates to an abatement of **\$11.22** including interest (interest is calculated to a repayment date of July 10, 2026, and is subject to change per tax collector). If the taxes have not been paid, then no refund or interest is due.

RECEIVED
Town of Durham

FEB 24 2026

Planning, Zoning
and Assessing

FOR MUNICIPALITY USE ONLY:

Town File No.: 25-27

Taxpayer Name: De Capo

TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): Yael D. DeCapo

Mailing Address: 315 Durham Point Road, Durham, NH 03824

Telephone Nos.: (Home) _____ (Cell) 917.859.4848 (Work) _____ (Email) decaposfh@gmail.com

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): _____

Mailing Address: _____

Telephone Nos.: (Home) _____ (Cell) _____ (Work) _____ (Email) _____

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>
227-20	Durham Point Rd., Durham	Land & Bldg.	\$537,622

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. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

Please see attached.

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# 227-20 Appeal Year Market Value \$ 256,265
Town Parcel ID# _____ Appeal Year Market Value \$ _____

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

Please see attached.

SECTION G. Sales, Rental and/or Assessment Comparisons

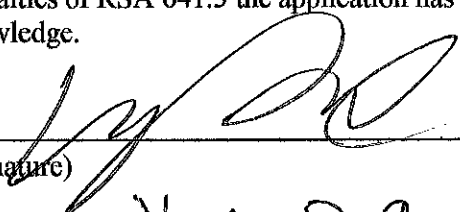
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Town Parcel ID#	Street Address	Sale Price/Date of Sale	Rents	Assessment
Please see attached.				

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 641:3 the application has a good faith basis and the facts stated are true to the best of my/our knowledge.

Date: 2/23/2021



(Signature)

Yael DeCapo

(Print Name)

(Signature)

(Print Name)

SECTIONS E, F & G

Market Data

The property's underlying land assessment is unsupported by market data and disproportionate which then skews the overall assessed value of the property. The fully taxed parcel contains only 13,068 square feet (0.30 acre). The overall site is irregular in shape with limited developability due to its topography, current use status, and conservation easement. The property is also subject to a right of way that benefits another parcel. While the property is technically waterfront there is no practical use of the waterfront due to tidal mud flats and topography. In essence, the parcel is a water view lot at best.

There is no sale data to support the land assessment. Given the lack of vacant land sales in Durham on Great Bay and its tributaries, improved sales were analyzed in the revaluation to allocate land value. In land allocation, the contributory value of the improvements is deducted from the overall sale price to arrive at an allocated value for the land. The summary below reflects data taken from the tax assessment cards. The contributory value of the building was also taken from the tax assessment card. In addition to the town's analysis that includes seven improved sales, there was a vacant parcel of land that sold in an arm's length transaction that has been included on the last line in the summary of sale data below.

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Five of the sales above (59 Durham, 561 Bay, 250 Newmarket, 595 Bay, and 281 Durham) have a tight range of allocated land value from \$875,000 to \$1,120,400. The average calculates to \$950,120. This represents the market derived assessed value for a waterfront lot. However, since the fully taxable portion consists of only 13,068 square feet (0.30 acre), it is clear the taxable assessed value was loaded onto the 0.30 acre portion of the 68.30 acres. The land not in current use is assessed at \$412,400 that is unsupported by the sale

data. In addition, there is a cemetery on the property that the town has access to. Most of the shoreline is unusable and since the Eversource project, further reduced the boating window in the mud flat. The correct assessment for the 13,068 square feet is \$192,397 (22 Newmarket land sale's rate per acre x 0.30 acre). 22 Newmarket was the smallest sale of the data set listed above.

Disproportionality

The property is disproportionately assessed and has a disproportionate share of the municipal tax burden. There are other real estate segments in Durham that are underassessed and as a result do not pay a proportionate share of the tax burden. The following are several examples of disproportionality.

The Cottages of Durham is a 619 bed student housing project located at 100 Clubhouse Street in Durham. It is an investment grade property owned by Blackstone. It is further identified as Map 203, Lot 7. The current 2025 assessment is as follows:

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Total Assessment.....	\$52,623,700
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Improvements.....	\$30,785,500
-------------------	--------------

Land	<u>\$24,053,500</u>
Total Assessment.....	\$54,839,000

25 & 35 Main Street in Durham is a 231 bed student housing project located in downtown Durham. It is an investment grade property owned by Torrington. It is further identified as Map 108, Lot 14. The current 2025 assessment is as follows:

Improvements.....	\$14,768,400
Land	<u>\$5,910,000</u>
Total Assessment.....	\$20,678,400

2025 Annual Tax Liability \$390,201

The assessment calculates to \$89,517 per bed. Institutional grade, purpose built student housing trades in the range of \$95,000 to \$120,000 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 1.6% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements.....	\$13,084,000
Land	<u>\$7,937,900</u>
Total Assessment.....	\$21,021,900

The assessment data clearly demonstrates that a large, student housing projects that have significant value and generate significant tax revenue for Durham are underassessed. Furthermore, student housing rates increased 3 to 4% year over year from 2024 to 2025. The result is that other market segments, including residential waterfront property, are carrying a disproportionate share of the tax burden. As the data indicates, the disproportionality calculates to approximately 10%.

Factual Information

The factual information on the tax assessment card is incorrect. The utility building has reached the end of its economic life. The amount of physical depreciation is inadequate. Based on the depreciation tables found in *Marshall & Swift Valuation Service* the correct amount of depreciation is 80%.

Furthermore, the land assessment is excessive because the assessment of land not in current use was loaded to offset the land encumbered by conservation easement and current use tax status.

Summary

Current Assessment

Improvements.....	\$0
Outbuildings.....	\$98,100
Land	<u>\$439,522</u>
Total Assessment.....	\$537,622

Correct Proportionate Assessment

Improvements.....	\$0
Ob (-80% utility bldg., -10% disproportionality)	\$71,658
Land Primary Acre (\$192,397 market data - 10% disproportionality)	\$173,157
Other Land (-10% disproportionality)	<u>\$11,450</u>
Total Assessment.....	\$256,265

Abatement Request

Current Assessment	\$537,622
Correct Proportionate Assessment.....	<u>\$256,265</u>
Abatement	\$281,357

Town of Durham, NH
Property Tax Bill Calculation

Owner Yael D Decapo
PID 227-20
Address Durham Point Road

WHAT WAS TAXED

Total Assessed Value	464,583	537,622
Exemption (solar,)		
Value Tax Applied To:	<u>464,583.00</u>	<u>537,622.00</u>

Credit (veterans,)

Tax Bill#:	119854	121315
PropTax Issue 1 st or 2 nd	1	2
Due Date:	7/2/2025	1/12/2026
Paid Date:	7/2/2025	1/11/2026

Tax Rate Applied:

Town	2.875	5.120
County	0.925	1.900
Local School	5.760	10.790
State School	0.605	1.060
Total Rate	<u>10.165</u>	<u>18.870</u>

tax will be roughly 4,722.49 10,144.93

Resulting in Taxes of:

Town	1,336.00	2,753.00
County	430.00	1,021.00
Local School	2,676.00	5,801.00
State School	281.00	570.00
Tax Calculated	<u>4,723.00</u>	<u>10,145.00</u>

Less Credit & 1st Bill
is the Amount Billed: 4,723.00 5,422.00

WHAT SHOULD HAVE BEEN TAXED

Total Assessed Value	464,583	537,041
Exemption (solar,)	-	-
Value Tax Applied To:	<u>464,583.00</u>	<u>537,041.00</u>

Credit (veterans,) - -

Tax Bill#:	119854	121315
PropTax Issue 1 st or 2 nd	1	2
Due Date:	7/2/2025	1/12/2026
Paid Date:	7/2/2025	1/11/2026

Tax Rate Applied:

Town	2.875	5.120
County	0.925	1.900
Local School	5.760	10.790
State School	0.605	1.060
Total Rate	<u>10.165</u>	<u>18.870</u>

tax will be roughly 4,722.49 10,133.96

Resulting in Taxes of:

Town	1,336.00	2,750.00
County	430.00	1,020.00
Local School	2,676.00	5,795.00
State School	281.00	569.00
Tax Calculated	<u>4,723.00</u>	<u>10,134.00</u>

Less Credit & 1st Bill
is the Amount Billed: 4,723.00 5,411.00

WHAT SHOULD BE ABATED

Difference in Billed-SHB = Abate	-	11.00	11.00 = To Be Abated
RSA 76:17-a Rate of Interest Pybl	4.00%	4.00%	
Enter Date Town will Payback	6/19/2026	7/10/2026	
Number of Days of Interest =	352	180	
Interest Payable	-	0.22	0.22 = Interest Owed
Less Previously Abated Amount of			
Total To Be Abated	-	11.22	11.22



*TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-8064
Fax: 603/868-8033*

ABATEMENT RECOMMENDATION

DATE: June 15, 2026

TOWN OF: Durham

TO: Town Council

FROM: Darcy Freer, CNHA

OWNER: Cynthia F Cooley Trust
20 Colony Cove Road
Durham, NH 03824

REPRESENTATIVE: N/A

PROPERTY LOCATION: 20 Colony Cove Road, Durham, NH 03824

PID: 228-1

PROPERTY TAX YEAR(S) APPEALED: 2025

APPLICATION FILING DATE: 2/27/26

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$1,892,800

Municipalities may abate taxes “for good cause shown.” RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property’s “equalized assessment” exceeded the property’s market value. To calculate the equalized assessment, simply divide the assessment by the municipality’s equalization ratio (assessment ÷ ratio). Because a property’s market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**



REASON FOR APPEAL: The owner has applied for an abatement of their 2025 property taxes because they state that the land assessment is unsupported by market data and disproportionate. Additionally, they state that their property has a disproportionate share of the municipal tax burden due to the perceived underassessment of large student housing projects. The owner has also indicated that according to *Marshall and Swift Valuation Service* manual the amount of depreciation of the building is incorrect.

ASSESSORS COMMENTS: The subject property is a conventional home which is situated on 2.70 acres of land, with approximately 928' of frontage on Little Bay (this was corrected as part of this recommendation, see below). The home was constructed in 1920, has 2,139 sf of living area above grade, and is considered to be in good condition relative to its age.

The abatement application included a list of sales that the applicant utilized to perform the land allocation method to arrive at a land value for the parcel. The applicant believes these are comparable, and while some may be comparable, no adjustment was made for the location or the body of water of the selected sales. The application also makes a statement that this property is not waterfront, but rather a waterview parcel. This statement is false and misleading, as this property is situated directly on *Little Bay*.

The applicant makes a disproportionality argument for several properties whose values are based upon settlement agreements. Although the Town believes these properties to be at market value, these are not the only properties that should be utilized to prove disproportionality. The aforementioned settlement agreements, and the subsequent assessed values, stemmed from numerous student housing appeals from the 2023 Revaluation. To arrive at the agreed upon settlement values numerous professionals and countless hours were spent analyzing data including national publications, northeast university/college enrollment trends including the actualized enrollment decline at UNH, and the UNH specific requirement for a larger portion of the student population to reside on campus. While the application does correctly state that student housing projects trade in a value range, the capacity of each project, location including the proximity to campus, and the requirements of each university/college must be considered to accurately assess the property.

The owner claims that the depreciation of the building is incorrect and believes that appropriate depreciation for the property should be derived directly from the Marshall and Swift Valuation Services manual. The Town utilizes mass appraisal techniques and a market extraction method to develop the

appropriate depreciation tables for properties within the Town. Typically, in mass appraisal, the identification of depreciation relies upon the application of computer modeling,, CAMA, techniques. This market extraction method may not mimic what is depicted in the Marshall and Swift Valuation Services manual.

A full interior and exterior inspection of the property was performed on 3/26/2026 to confirm and/or correct all data points on the property record card. At this time, I utilized GIS to correct the linear feet of water frontage on the property. The applicant notes that there is no modern water source on the property and the well water is non-potable. A previous functional depreciation adjustment for non-potable water remains on the property. All other data points, noted by the applicant, were confirmed to be correct on the property record card.

RECOMMENDATION: Based upon the above information, I recommend reducing the overall assessments from \$1,892,800 to \$1,604,600 and granting the abatement for the assessed value differences of \$288,200. This calculates to an abatement of **\$5,546.81** including interest (interest is calculated to a repayment date of July 10, 2026, and is subject to change per tax collector). If the taxes have not been paid, then no refund or interest is due.

RECEIVED
Town of Durham
FEB 27 2026
Planning, Zoning
and Assessing

FOR MUNICIPALITY USE ONLY:
Town File No.: 25-49
Taxpayer Name: Cooley

TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): Cynthia F. Cooley Trust
Mailing Address: 13 Winding Way, Verona, PA 15147
Telephone Nos.: (Home) _____ (Cell) 781.840.5850 (Work) _____ (Email) cooleyr@rcn.com

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): _____
Mailing Address: _____
Telephone Nos.: (Home) _____ (Cell) _____ (Work) _____ (Email) _____

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>
228-1	20 Colony Cove Rd., Durham	Cottage	\$1,892,800

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. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

Please see attached.

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# 228-1 Appeal Year Market Value \$ _____

Town Parcel ID# _____ Appeal Year Market Value \$ _____

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

Please see attached.

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
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Please see 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 641:3 the application has a good faith basis and the facts stated are true to the best of my/our knowledge.

Date: 2/21/26

Cynthia F. Cooley
(Signature)

Cynthia F. Cooley
(Print Name)

(Signature)

(Print Name)

SECTIONS E, F & G

Market Data

The property's underlying land assessment is unsupported by market data and disproportionate which then skews the overall assessed value of the property. The parcel is an irregular shape with limited developability due to its shape, topography, and setbacks. While the property is technically waterfront there is no practical use of the waterfront due to tidal mud flats, erosion, and topography. In essence, the parcel is a water view lot.

There is no sale data to support the land assessment. Given the lack of vacant land sales in Durham on Great Bay and its tributaries, improved sales were analyzed in the revaluation to allocate land value. In land allocation, the contributory value of the improvements is deducted from the overall sale price to arrive at an allocated value for the land. The summary below reflects data taken from the tax assessment cards. The contributory value of the building was also taken from the tax assessment card. In addition to the town's analysis that includes seven improved sales, there was a vacant parcel of land that sold in an arm's length transaction that has been included on the last line in the summary of sale data below.

Tax ID	Address	Acreage	Frontage	House SF	Sale Date	Sale Price	Building	Bldg/SF	Residual
214-17	59 Durham Point	2.53	192	3,271	6/10/24	\$1,750,000	\$629,600	\$192	\$1,120,400
239-9	561 Bay	1.51	view	n/a	5/1/23	\$875,000	\$0	\$0	\$875,000
232-106	250 Newmarket	13.20	4,000	3,136	9/13/24	\$1,600,000	\$661,800	\$211	\$938,200
232/100	278 Newmarket	2.46	380	1,512	7/16/24	\$739,933	\$383,900	\$254	\$356,033
108/86	22 Newmarket	0.68	175	2,907	4/7/23	\$925,000	\$488,900	\$168	\$436,100
216/7	32 Back River	2.90	view	1,190	3/27/25	\$450,000	\$156,900	\$132	\$293,100
239/18	595 Bay	1.93	350	1,128	8/21/24	\$1,395,000	\$378,000	\$335	\$1,017,000
227/11	281 Durham Point	15.00	255	n/a	12/13/24	\$1,000,000	\$0	\$0	\$1,000,000

Unlike traditional waterfront property where the shoreline is usable (i.e. good topography, deep water, sandy beach, etc.), the sale data reflects waterview parcels more than waterfront since the frontage is difficult and mostly unusable. Thus, regardless of the amount of acreage or shoreline, the residual land values indicate there is minimal difference between a smaller lot with less amount of waterfrontage compared to a larger lot with extensive shoreline. The price paid in the marketplace is based on a developable parcel of land with minimal consideration for excess land or waterfrontage.

The sale located at 281 Durham Point was acquired by the abutter. The sale was an auction type transaction with multiple bidders. The next highest bidder was at \$800,000. Therefore, the abutter paid a 20% premium for assemblage purposes. As a result, the market transacted price without assemblage premium calculates to \$800,000.

Five of the sales above (59 Durham, 561 Bay, 250 Newmarket, 595 Bay, and 281 Durham) have a tight range of allocated land value from \$875,000 to \$1,120,400. The average calculates to \$950,120. This represents the market derived assessed value for a waterfront lot. The sale data indicates that the land is overassessed.

Disproportionality

The property is disproportionately assessed and has a disproportionate share of the municipal tax burden. There are other real estate segments in Durham that are underassessed and as a result do not pay a proportionate share of the tax burden. The following are several examples of disproportionality.

The Cottages of Durham is a 619 bed student housing project located at 100 Clubhouse Street in Durham. It is an investment grade property owned by Blackstone. It is further identified as Map 203, Lot 7. The current 2025 assessment is as follows:

Improvements.....	\$43,338,770
Land.....	<u>\$9,285,000</u>
Total Assessment.....	\$52,623,700
2025 Annual Tax Liability.....	\$993,009

The assessment calculates to \$85,014 per bed. Institutional grade, purpose built student housing trades in the range of \$95,000 to \$120,000 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 10.3% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements.....	\$52,900,400
Land.....	<u>\$5,756,200</u>
Total Assessment.....	\$58,656,600

The Lodges at West Edge is a 486 bed student housing project located at 259 Mast Road in Durham. It is an investment grade property. It is further identified as Map 210, Lot 10. The current 2025 assessment is as follows:

Improvements.....	\$42,100,000
Land.....	<u>\$6,900,000</u>
Total Assessment.....	\$49,000,000
2025 Annual Tax Liability.....	\$924,630

The assessment calculates to \$100,823 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The

application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 10.6% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements.....	\$30,785,500
Land.....	<u>\$24,053,500</u>
Total Assessment.....	\$54,839,000

25 & 35 Main Street in Durham is a 231 bed student housing project located in downtown Durham. It is an investment grade property owned by Torrington. It is further identified as Map 108, Lot 14. The current 2025 assessment is as follows:

Improvements.....	\$14,768,400
Land.....	<u>\$5,910,000</u>
Total Assessment.....	\$20,678,400

2025 Annual Tax Liability..... \$390,201

The assessment calculates to \$89,517 per bed. Institutional grade, purpose built student housing trades in the range of \$95,000 to \$120,000 per bed. Furthermore, the property was assessed utilizing a depreciated cost method compared to an income capitalization approach that is appropriate for an income producing property that is owned by an institutional investor. The application of a cost approach for income producing property results in an erroneous assessment. Furthermore, the assessment of the property was reduced 1.6% from its prior assessment level in 2024. The following is a summary of its 2024 assessment:

Improvements.....	\$13,084,000
Land.....	<u>\$7,937,900</u>
Total Assessment.....	\$21,021,900

The assessment data clearly demonstrates that large, student housing projects that have significant value and generate significant tax revenue for Durham are underassessed. Furthermore, student housing rates increased 3 to 4% year over year from 2024 to 2025. The result is that other market segments, including residential waterfront property, are carrying a disproportionate share of the tax burden. As the data indicates, the disproportionality calculates to approximately 10%.

Factual Information

The seasonal, uninsulated cottage was constructed circa 1920 and is in average condition. The pipes need to be blown out each fall because they freeze otherwise. To convert to year-round use, a variance would no doubt be needed and the town would likely strictly limit any construction or renovation due to proximity to the Little Bay. NHDES Wetlands and Shorelands would also need to be involved which becomes another hurdle as to any excavation or conversion activities in the current location. Even if the Town grants a variance, a potential buyer may not get the State approvals to proceed. The physical

depreciation is incorrect given the age and condition of the improvements. According to *Marshall & Swift Valuation Service*, the correct amount of depreciation is 60%. If sold, it would most likely be razed to make way for a new year round home. Given the shape of the parcel, a new home would have to be constructed on the existing footprint.

The dock on the property is a "mud dock" that sits in mud for many hours of the day. We are only able to use it for 3 hours on either side of high tide, meaning we can only use it 12 hours of the day or 50% of the time.

The spaces above the garage and on the 3rd floor of the house listed as "finished" on the assessment are not finished livable spaces — one is an empty attic with a sloped, water damaged wood paneled ceiling that is only ever used for storage and the other is an unfinished space above the garage with plywood flooring that has been used as an art studio and storage space.

There is no modern water source on the property and the well water is not potable. Attempts to drill a new well in 2003 resulted in hitting salt water. In addition to not producing potable water, the well is low capacity and can't sustain more use than two people staying in the home. Reverse osmosis can not be employed to help with potability because the well does not produce enough water to compensate for the amount that needs to be wasted during osmosis. Bottled water must be brought into the house for drinking, brushing teeth, cooking, and washing fruits and vegetables. There is no place to install potable water storage tanks as there is no basement.

There is significant erosion of the land along the entire shoreline making it likely that any prior surveys estimating the linear feet of "waterfront" are no longer accurate and making it even more difficult to do any construction on the building. We have reached out to the town and various environmental agencies over the past few years to see if there is any kind of grant that could help with the erosion, but have not had any success. We have photos of the edges of our property that show how bad the situation is. They can be seen by following this link: <https://tinyurl.com/5n6nrn6j>. We reached out to the NH Coastal Landowner Technical Assistance Program and they came out a few years ago and noted in their report "evidence of erosion abundant throughout the shoreline" at our property. And Sarah McGraw-Small (Resource Conservationist from the U.S. Dept of Agriculture Natural Resource Conservation Service, Epping Field Office) went out to our property in mid December 2025 and wrote in an email dated 12-23-25: "I can see your cause for concern."

Summary

Current Assessment

Improvements.....	\$304,700
Land.....	<u>\$1,588,100</u>
Total Assessment.....	\$1,892,800

Correct Proportionate Assessment

Improvements (60% depreciation, -10% disproportionality).....	\$133,472
Xf (-10% disproportionality).....	\$4,680
OB (-10% disproportionality).....	\$25,920
Land (\$950,000 market data - 10% disproportionality).....	<u>\$855,000</u>
Total Assessment.....	\$1,019,072

Abatement Request

Current Assessment.....	\$1,892,800
Correct Proportionate Assessment.....	<u>\$1,019,072</u>
Abatement.....	\$873,728

Town of Durham, NH
Property Tax Bill Calculation

Owner Cynthis F Cooley Trust
PID 228-1
Address 20 Colony Cove Road

WHAT WAS TAXED

Total Assessed Value	1,130,100	1,892,800
Exemption (solar,)		
Value Tax Applied To:	<u>1,130,100.00</u>	<u>1,892,800.00</u>

Credit (veterans,)

Tax Bill#:	119866	121329
PropTax Issue 1 st or 2 nd	1	2
Due Date:	7/2/2025	1/12/2026
Paid Date:	6/6/2025	1/5/2026

Tax Rate Applied:

Town	2.875	5.120
County	0.925	1.900
Local School	5.760	10.790
State School	0.605	1.060
Total Rate	<u>10.165</u>	<u>18.870</u>

tax will be roughly 11,487.47 35,717.14

Resulting in Taxes of:

Town	3,249.00	9,691.00
County	1,045.00	3,596.00
Local School	6,509.00	20,423.00
State School	684.00	2,006.00
Tax Calculated	<u>11,487.00</u>	<u>35,716.00</u>

Less Credit & 1st Bill
is the Amount Billed: 11,487.00 24,229.00

WHAT SHOULD HAVE BEEN TAXED

Total Assessed Value	1,130,100	1,604,600
Exemption (solar,)	-	-
Value Tax Applied To:	<u>1,130,100.00</u>	<u>1,604,600.00</u>

Credit (veterans,) - -

Tax Bill#:	119866	121329
PropTax Issue 1 st or 2 nd	1	2
Due Date:	7/2/2025	1/12/2026
Paid Date:	6/6/2025	1/5/2026

Tax Rate Applied:

Town	2.875	5.120
County	0.925	1.900
Local School	5.760	10.790
State School	0.605	1.060
Total Rate	<u>10.165</u>	<u>18.870</u>

tax will be roughly 11,487.47 30,278.80

Resulting in Taxes of:

Town	3,249.00	8,216.00
County	1,045.00	3,049.00
Local School	6,509.00	17,314.00
State School	684.00	1,701.00
Tax Calculated	<u>11,487.00</u>	<u>30,280.00</u>

Less Credit & 1st Bill
is the Amount Billed: 11,487.00 18,793.00

WHAT SHOULD BE ABATED

Difference in Billed-SHB = Abate	-	5,436.00	5,436.00 = To Be Abated
RSA 76:17-a Rate of Interest Pybl	4.00%	4.00%	
Enter Date Town will Payback	6/19/2026	7/10/2026	
Number of Days of Interest =	378	186	
Interest Payable	-	110.81	110.81 = Interest Owed
Less Previously Abated Amount of			
Total To Be Abated	-	5,546.81	5,546.81



*TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-8064
Fax: 603/868-8033*

ABATEMENT RECOMMENDATION

DATE: June 15, 2026

TOWN OF: Durham

TO: Town Council

FROM: Darcy Freer, CNHA

OWNER: Daniel F Ford
Sarah P Ford
433 Bay Road
Durham, NH 03824

REPRESENTATIVE: N/A

PROPERTY LOCATION: 433 Bay Road, Durham, NH 03824

PID: 239-1

PROPERTY TAX YEAR(S) APPEALED: 2025

APPLICATION FILING DATE: 2/26/26

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$1,688,742

Municipalities may abate taxes “for good cause shown.” RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property’s “equalized assessment” exceeded the property’s market value. To calculate the equalized assessment, simply divide the assessment by the municipality’s equalization ratio (assessment ÷ ratio). Because a property’s market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**



REASON FOR APPEAL: The owner has applied for an abatement of their 2025 property taxes because they believe the assessment of \$1,688,742 is radical and unfair and cannot be justified by market conditions.

ASSESSORS COMMENTS: The subject property is a Cape, which was constructed in 1982 and has 2,352 sf of living area above grade. It is situated on 32.25 acres of land, located on Great Bay, and 30.87 ac are encumbered by a current use assessment. The home is considered to be in average condition for its age. There is also a garage on the property that was built in 1997, has 1,500 sf of living area and is considered to be in average condition for its age. An inspection of the property occurred on 3/25/26.

The applicant states that there were no property sales on Bay Road, which is untrue. 595 Bay Road sold on 8/21/24 for \$1,395,000. The applicant does make note of one sale on Durham Point Road. This would be the sale of 59 Durham Point Road, which sold for \$1,750,000 on 6/10/24. Provided in the application was an estimate from the owner that market inflation was between 3.8% and 4.7%. However, this is not what was discovered through the thorough analysis done for the 2025 revaluation.

Including in the application, was an abatement recommendation from 2014. An abatement recommendation from 2014 does not prevail a valuation based upon a subsequent revaluation done 10+ years later. However, what does hold merit is the Board of Tax and Land Appeals decision from this abatement. In their decision, the Board found:

“the taxpayer and any subsequent heirs and assigns of Lot 5 will enjoy most of the same benefits that Great Bay waterfront properties enjoy with the exception of being able to control the vegetation on lot 4, which could impede Lot 5’s view of Great Bay, and who can access the strip on Lot 4”.

“In weighin all the rights that are still contained in the bundle of rights of Lot 5, the Board has estimated the value rights embodied in Lot 4 for controlling the tree growth and public access is about 10%”.

The Board’s decision is still upheld, as the 10% reduction remains on the primary acre of the property. There was no market evidence during the 2025 revaluation that a 20% reduction should be applied, as is suggested by the applicant.

RECOMMENDATION: After reviewing the property, including all elements of value, and based upon the above information, I recommend the Council **DENY** the abatement request.

RECEIVED
Town of Durham

FEB 26 2026
Planning, Zoning
and Assessing

FOR MUNICIPALITY USE ONLY:
Town File No.: <u>25-42</u>
Taxpayer Name: <u>Ford</u>

TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): DANIEL FORD
Mailing Address: 433 BAY ROAD
Telephone Nos.: (Home) 343-8030 (Cell) 343-8511 (Work) 343-8030 (Email) cub06h@gmail.com

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): N/A
Mailing Address: _____
Telephone Nos.: (Home) _____ (Cell) _____ (Work) _____ (Email) _____

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>
<u>239/1</u>	<u>433 Bay Rd, Durham</u>	<u>land & bldgs</u>	<u>\$1,688,742</u>

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>
239/2	433 Bay Rd. Durham	land & dock	\$39,151

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. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

My houselot is assessed at \$1,084,700, an increase of FORTY-SIX PERCENT from last year's \$745,000. This a radical and unfair charge that can't be justified by market conditions or the taxes paid by similar properties. See the attachment "Abatement for 433 Bay Road".

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# 239 / 1 / 0 Appeal Year Market Value \$ 1,423,542

Town Parcel ID# _____ Appeal Year Market Value \$ _____

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

See the attachment headed Abatement for 433 Bay Road

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
115/6	65 Durham Pt Rd	\$425,000 Oct 2025	--	\$39,603
230/13	401 Bay Rd	--	--	\$2,556,190
239/7	551 Bay Rd	--	--	\$2,293,660

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 641:3 the application has a good faith basis and the facts stated are true to the best of my/our knowledge.

Date: FEB 22, 2026



(Signature)

DANIEL FORD

(Print Name)

(Signature)

(Print Name)

TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

TAX YEAR APPEALED 2025

INSTRUCTIONS

1. Complete the application by typing or printing legibly in ink. **This application does not stay the collection of taxes; taxes should be paid as assessed. If an abatement is granted, a refund with interest will be made.**
2. File this application with the municipality by the deadline (see below). Date of filing is the date this form is either hand delivered to the municipality, postmarked by the post office, or received by an overnight delivery service.

DEADLINES: The "notice of tax" means the date the board of tax and land appeals (BTLA) determines the last tax bill was sent by the municipality. (If your municipality bills twice annually, you must apply after the bill that establishes your final tax liability and not before.)

Step One: Taxpayer must file the abatement application with the municipality by March 1 following the notice of tax.

Step Two: Municipality has until July 1 following the notice of tax to grant or deny the abatement application.

Step Three: Taxpayer may file an appeal either at the BTLA (RSA 76:16-a) or in the superior court (RSA 76:17), but not both. An appeal must be filed:

- 1) no earlier than: a) after receiving the municipality's decision on the abatement application; or b) July 1 following the notice of tax if the municipality has not responded to the abatement application; and
- 2) no later than September 1 following the notice of tax.

EXCEPTION: If your municipality's final tax bill was sent out after December 31 (as determined by the BTLA), the above deadlines are modified as follows (RSA 76:1-a; RSA 76:16-d, II):

Step One: 2 months after notice of tax;

Step Two: 6 months after notice of tax; and

Step Three: 8 months after notice of tax.

FORM COMPLETION GUIDELINES:

1. **SECTION E.** Municipalities may abate taxes "for good cause shown." RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax.
2. **SECTION G.** If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show: a) what the property was worth (market value) on the assessment date; and b) the property's "equalized assessment" exceeded the property's market value. To calculate the equalized assessment, simply divide the assessment by the municipality's equalization ratio (assessment ÷ ratio). Because a property's market value is a crucial issue, taxpayers must have an opinion of the market value estimate. This value estimate can be shown by obtaining an appraisal or presenting sales of comparable properties.
3. **SECTION H.** The applicant(s) must sign the application even if a representative (e.g. Tax Representative, Attorney, or other Advocate) completes Section I.
4. Make a copy of this document for your own records.

Abatement for 433 Bay Road

Note that there were no property sales on Bay Road last year and only one waterfront property sold on Durham Point Road. (These are actually the same road, and the town-assigned house numbers are continuous from the start of Durham Point Road to the Newmarket town line.)

The house to my north is *401 Bay Road*, where the houselot is assessed at \$1,201,490. Apply 20% reduction per as granted in our 2014 abatement (attached; see recommendation 1 on the last page) suggests my houselot by comparison might be worth \$961,192. The house to my south is *551 Bay Road*, where the houselot is assessed at \$1,074,460. Applying 20% reduction suggests my houselot might be worth \$859,568. Average of those two values is **\$910,380**.

The waterfront property at *65 Durham Point Road* sold last year for \$425,000. This is the only comparable sale in the past two years. It actually is very similar to my property, since it has access to the Oyster River over a right-of-way served by a long driveway. The driveway is paved, as are those at both 401 and 551 Bay Road, while mine is mostly gravel that must be graded every two or three years. From 1970 to 1982, my wife and I lived next door at 51 Durham Point Road and regularly sailed her catboat to Great Bay on summer weekends.

Great Bay views are no doubt superior to those along a tidal river, but on the other hand the water isn't as clean and the mudflats at low tide are extensive. I have a fifth of a mile of mudflats (1,000 feet) in front of my dock at low tide, and for 500 feet beyond that the water is only an inch or two deep. On most days I have only one hour of tide deep enough (at least two feet) to swim. On days when high tide comes at 6 a.m. and 6 p.m., I have no real chance of getting out on the water at all.

And the water is so turbid that when I swim, I often can't see my fingernails at the bottom of a stroke. On many days, the surface is covered with scum and tiny bubbles -- and it smells! My neighbors at 401 haven't deployed their float for the past several years, preferring to swim at the UNH pool, while the owners of 511 have never installed a dock. (Most houses to my south have deeded access to Walter Cheney's clubhouse and dock, with deep water 8 hours of every tide.)

Note that Bay Road residents are also the last to be plowed out when it snows, the last to get mail, and the last to have power restored after an outage.

Looking at real estate prices in general, I see estimates of 3.8% and 4.7% inflation for 2025. Increasing that to 5% because of the perceived benefits of living in Durham, I suggest that a 10% increase in my 2024 assessment is *more* than adequate. I therefore request that my houselot be reduced to **\$819,500** (\$745,000 x 110%), and the overall assessment to **\$1,423,542**, and that my taxes be abated accordingly.

Thank you!



Daniel Ford



TOWN OF DURHAM
15 NEWMARKET RD
DURHAM, NH 03824-2898
603/868-8064
603/868-8033

August 7, 2014

Daniel & Sarah Ford
433 Bay Road
Durham, NH 03824

Re: Map & Lot 20-8-5
Location: 433 Bay Road

Dear Property Owner(s),

Your abatement request has been approved by the Durham Town Council. Attached is a copy of the Assessor's abatement recommendation to the Council members. Your abatement refund check will be processed by the Finance Department and will come by separate mailing.

Per RSA 76:16 you may appeal the Council's decision to the Board of Tax and Land Appeals or to Superior Court no later than September 2, 2014. If you have any questions regarding this information, please feel free to contact the Assessing Office.

Sincerely,

A handwritten signature in cursive script, appearing to read "James Rice".

James Rice, CNHA
Town Assessor



TOWN OF DURHAM
15 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-8064
Fax: 603/868-8033

ABATEMENT RECOMMENDATION

DATE: July 17, 2014

TOWN OF: Durham

TO: Town Council

FROM: Jim Rice, CNHA

OWNER: Daniel F. & Sarah P. Ford
433 Bay Road
Durham, NH 03824

REPRESENTATIVE: N/A

PROPERTY LOCATION: 433 Bay Road, Durham, NH 03824

PID: 20-8-4 & 20-8-5

PROPERTY TAX YEAR APPEALED: 2013

APPLICATION FILING DATE W/MUNICIPALITY: February 26, 2014 (Filing deadline is 3/3/2014 due to holiday).

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$760,863.00 (Current Use)
\$864,600.00 (without Current Use)

Municipalities may abate taxes "for good cause shown." RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property's "equalized assessment" exceeded the property's market value. To calculate the equalized assessment, simply divide the assessment by the municipality's equalization ratio (assessment ÷ ratio). Because a property's market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**

REASON(S) FOR APPEAL: The tax maps show that their lot has water frontage on Great Bay, when it does not. During the 2013 statistical update, the property was assessed as a water-front lot. As a result, they believe the land portion of their assessment is excessively assessed.

ASSESSOR'S COMMENTS: The subject property is comprised of 32.25 acres with a 1,700'+/- driveway accessing the home-site from Bay Road. The house-site is located on a small peninsula with a 270+/- degree seasonal view of Great Bay. Topography of the site is gently rolling land from Bay road to the home-site with mature coniferous and deciduous vegetation. The home-site is fairly level with a large lawn area, foundation shrubs and flowering plants. Mature coniferous and deciduous trees border the easterly boundary line, seasonally obstructing some of their views of Great Bay.

The subject property does not have frontage on Great Bay. In 1994, the owners annexed their entire water frontage to abutting lot 8-4 (also owned by the Ford's) and placed the entire water frontage under Current Use. They also granted themselves an access easement to Great Bay across a portion of the water frontage on abutting lot 8-4. The tax maps were not updated to show the revised lot-line adjustment.

In 1982, the home-site was improved with a 2,352+/- square foot center chimney cape style house. The first floor is comprised of post'n beam construction with beamed ceilings, built-in book shelves, a large Rumford fireplace, wide pine floors and an open-concept design. The second floor is comprised of a full dormer with two bedrooms and two full bathrooms. A 16' x 20' screen porch with vaulted ceiling and brick floor is attached to the house. The house is considered to be of good quality construction, architectural design and materials.

The house-site has also been improved with a 2-car detached garage and a 30' x 40' detached "garage" with 2-bedroom apartment. With the exception of the garage (which is used as a work-shop), the interior is finished with knotty pine vertical board walls, pine floors and beamed ceilings.

In 2002 and 2003, the owner's appealed their assessment to the Board of Tax and Land Appeals because their property was assessed as a waterfront property, when the entire water frontage was annexed to abutting lot 8-4. In their decision, the Board found:

"the Taxpayers and any subsequent heirs and assigns of Lot 5 will enjoy most of the same benefits that Great Bay waterfront properties enjoy with the exception of being able to control the vegetation on lot 4, which could impede Lot 5's view of Great Bay, and who can access the strip on Lot 4".

"In weighing all the rights that are still contained in the bundle of rights of Lot 5, the Board has estimated the value rights embodied in Lot 4 for controlling the tree growth and public access is about 10%".

In the footnotes, the Board also addressed the following:

"The Board noted that technically the portion of Lot 4 that is encumbered with the dock should not qualify for Current Use assessment because of such improvements. The Town should have assessed the market value of the dock and small area it encompasses on Lot 4 and reduce the eligible land for Current Use by that area".

RECOMMENDATION: Based on the aforementioned information, I recommend the following adjustments be made to the assessment record card:

- 1) Adjust the land condition factor on land line 1 from 1.00 to .80 to account for the lack of view control and tidal mudflats. There is no deep water access.
- 2) Adjust the "Grade" of the house from "Average" to "Average +20" due to the quality of construction, architectural design and materials. This adjustment is more consistent with a very similar house located at 15 Edgerly Garrison that was built by the same builder. The only difference between the two is that 15 Edgerly Garrison has a very low posted first floor, minimal kitchen cabinetry, no built-in book shelves, no Rumford Fireplace and the second floor has inferior finish when compared to the subject property.
- 3) Remove the dock from the assessment.
- 4) Adjust the "Grade" of the detached garage w/apartment from "Average" to "Average +20".
- 5) Adjust the sketch of the garage/apt to include first floor finish as you walk-in the front door. This was previously coded as part of the garage.
- 6) Apply 5% functional depreciation to the garage/apt because portions of the finished areas do not have central heat.

These adjustments reduce the assessment (w/o Current Use) from \$864,600 to \$818,100. Applying the 2013 median equalization ratio of 97.9% to the revised assessment reveals an estimated market value of \$835,600.00 ($\$818,100 / 97.9\%$) as of 4/1/13.

Since the property is enrolled under the Current Use program and property taxes are based on the Current Use assessment, the aforementioned adjustments reduce the Current Use assessment from \$760,863 to \$714,716. I recommend granting the abatement request for the assessed value difference of \$46,147. This calculates to an abatement of \$1,403.33 ($\$46,147 \times \30.41) plus interest at six percent per annum from the date paid to refund date per RSA 76-17-a. If the taxes have not been paid, then no refund or interest is due.

ADDITIONAL RECOMMENDATION:

Based on the Board of Tax and Land Appeal findings, I recommend the following adjustments to abutting lot 8-4:

- 1) Remove 40+/- square feet of water frontage from Current Use because it is encumbered with a dock which is not permitted on land in Current Use per RSA 79-A.
- 2) Apply a land condition factor of .75 to land line 1 for tidal mudflats and for this land to be exclusively used by the owner of lot 8-5.
- 3) Add the assessment of the dock to from lot 8-5 to lot 8-4.

These adjustments increase the [Current Use] assessment from \$183.00 to \$16,422.

If you have any questions regarding this information, please don't hesitate to contact me.



*TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-8064
Fax: 603/868-8033*

ABATEMENT RECOMMENDATION

DATE: June 15, 2026

TOWN OF: Durham

TO: Town Council

FROM: Darcy Freer, CNHA

OWNER: Wayne A & Teresa E Picard Living Trust
192 Silver Street
Dover, NH 03820

REPRESENTATIVE: N/A

PROPERTY LOCATION: Footman's Island, Durham, NH 03824

PID: 239-28

PROPERTY TAX YEAR(S) APPEALED: 2025

APPLICATION FILING DATE: 2/9/26

INVENTORY FILING DATE (Filing Date April 15th): N/A

ASSESSMENT APPEALED: \$161,700

Municipalities may abate taxes “for good cause shown.” RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax. If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show:

- a. What the property was worth (market value) on the assessment date.
- b. The property’s “equalized assessment” exceeded the property’s market value. To calculate the equalized assessment, simply divide the assessment by the municipality’s equalization ratio (assessment ÷ ratio). Because a property’s market value is a crucial issue, **taxpayers must have an opinion of the market value estimate. Obtaining an appraisal or presenting sales of comparable properties can show this value estimate.**



REASON FOR APPEAL: The owner has applied for an abatement of their 2025 property taxes because they believe the assessment of \$161,700 is disproportional based on the absence of any comparable properties.

ASSESSORS COMMENTS: The subject property is a camp on Footman's Island, which was constructed in 1919 and has 420 sf of living area. It is situated on 1.00 acres of land, located in Great Bay and is considered to be in average condition for its age. The office was unable to obtain an inspection of the property, because the owner has no way to access it.

The applicant notes in their application that the buildings on the property are deteriorating, and that the acreage of the island has been significantly impacted by erosion. Due to the lack of inspection neither of these points can be verified. If an inspection can be obtained prior to 8/1/26, it is possible a different recommendation may come before the Council. Additionally, it should be noted that the land is already significantly adjusted for access to the property.

RECOMMENDATION: After reviewing the property, including the property record card and GIS maps, based upon the above information, I recommend the Council **DENY** the abatement request.

RECEIVED
Town of Durham

FEB - 9 2026

Planning, Zoning
and Assessing

FOR MUNICIPALITY USE ONLY:

Town File No.: 25-11

Taxpayer Name: Picard

RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): The Wayne A and Teresa E Picard Living Trust, Teresa Picard, trustee

Mailing Address: 192 Silver Street, Dover NH 03820

Telephone Number(s): (Work) 603 702 2083 (Home) 603 742 1985

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): _____

Mailing Address: _____

Telephone Number(s): (Work) _____ (Home) _____

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>
<u>239-28-0-0-0</u>	<u>Durham</u>	<u>Footmans Island</u>	<u>\$ 161,700</u>

APPLICATION FOR ABATEMENT 2025 FOOTMAN'S ISLAND 239-28-0-0-0

I am claiming disproportionality based on the absence of any comparable properties, the island's failure to meet minimum lot requirements, and the absence of road access.

I am owner and heir to Footman's Island through my late husband, Edward D. McIntosh, whose family has owned the island since 1919.

Lacking road frontage and minimum lot requirements, the original 0.92 acreage has suffered considerable erosion. While making no demands on Town services, it has no access to emergency services, water, sewer, or electricity.

If one were to place a monetary value on road access and the numerous benefits derived therein, it constitutes a considerable proportion of a property's value. This property lacks that advantage.

It is unique in that it is not associated with any mainland property as are the other Durham islands. There are no comparable properties.

Due to mud flats, it is accessible by boat only 2 hours before and after high tide. Throughout the winter months, ice prevents boat access completely.

The two camps, having been built directly on the ground, are both deteriorating.

Ecologically speaking, it is a site for mating horseshoe crabs and breeding Arctic Terns.

SECTION F: I request that the market value of the buildings be reduced to the insured value of \$20,000 and that the market value of the land remain at \$41,100. However, in consideration of the need to defend a decision, a 10% increase in the land value would be appropriate. Therefore, the land should be valued at \$45,210.

Thank you for your consideration of this application.

Most sincerely,



Feb 4, 2026

Teresa E Picard

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>

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. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

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# _____ Appeal Year Market Value \$ _____

Town Parcel ID# _____ Appeal Year Market Value \$ _____

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

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 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.

Date: February 4, 2026

[Signature]
(Signature)

(Signature)

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: _____

(Representative's Signature)

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

*RSA 75:16, 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: _____

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)