



Alan DiPietro <alandipietro@gmail.com>

Back Taxes - Teele Road 3e-33 et al

34 messages

Alan DiPietro <alandipietro@gmail.com>
To: collector@townofbolton.com

Fri, Feb 15, 2019 at 10:51 AM

Hello Michelle

I sent this message to Kristen via the website on Wed. I just wanted to make sure she got it.

Is there a contract you can email me so I can understand the partial payment plan?

Thanks
-Alan

Kristen

I will not be able to make a full payment on the back taxes, until Lot 1, 3e-33 sells. Once this lot sells I will pay in full. I have been trying to work out how I can make a partial payment to avoid Land Court.

However I am uncertain that even if I could borrow the 25% down, that I would be able to keep up with the payments and current taxes until the lot sells. The only real way out of this is to sell Lot 1 which I have been trying to do since 2016.

Unfortunately a hold has been placed on my permit from conservation and I am leary (as are any lenders and buyers) of investing anymore into this property if these holds and leins can not be released.

I have been told that I should be able to get a new ANR plan signed even with outstanding taxes. Is this true, will they sign? Could/will my Septic Plan/Permit be held up? If so it is hard to justify the expenditure of money I don't have.

Once the taxes are paid what is the process to release the holds?
Do I have to go back in front of Cons Com and BoH or does the clerk just issue them at that point?

Is it possible to have the down payment 25% applied to pay off lot 1 3e-33 entirely so that the hold on permits can be released and the lot become more marketable. The payment plan would payoff the other 4 lots.

What is the process to pay and release the other Judicial Lein(s)?

I bought this property to farm it and keep it from being developed. I'd really like to work this out somehow; the last thing I want to do is dump this property off on some developer who will pimp it out with 40B condos.

Thank You
Alan DiPietro
alandipietro@gmail.com

Michelle Carlisle <collector@townofbolton.com>
To: Alan DiPietro <alandipietro@gmail.com>
Cc: Kristen Noel <treasurer@townofbolton.com>

Wed, Feb 20, 2019 at 8:40 AM

Good Morning Alan,

Kristen did see the below email. I know she is working on it. I was out of the office yesterday and Kristen is out today. I'm sure she'll be contacting you soon.

Thank you,

Michelle

[Quoted text hidden]

Alan DiPietro <alandipietro@gmail.com>
To: Michelle Carlisle <collector@townofbolton.com>
Cc: Kristen Noel <treasurer@townofbolton.com>

Wed, Feb 20, 2019 at 8:57 AM

Great, thanks for the update.

[Quoted text hidden]

Alan DiPietro <alandipietro@gmail.com>
To: Michelle Carlisle <collector@townofbolton.com>
Cc: Kristen Noel <treasurer@townofbolton.com>

Mon, Feb 25, 2019 at 10:48 AM

Hi Kristen

I have been told that If I submit an ANR plan to alter the back property line of 3e-33 it will void the current Variance for the frontage.

If my Variance is voided will 3e-33 be returned to an unbuildable tax code? Automatically or do I have to file some sort of request?

Will I receive a tax credit? Will the credit be for the last three years?

Any feedback on the Partial Tax Payment Plan and releasing the Judicial Liens?

It's getting pretty close to March 1

Thanks

-Alan

[Quoted text hidden]

Kristen Noel <treasurer@townofbolton.com>
To: Alan DiPietro <alandipietro@gmail.com>

Mon, Feb 25, 2019 at 11:01 AM

Good morning Alan –

I have forwarded your email to both our Town Planner and Assistant Assessor as I believe they can address your variance and tax credit questions.

I am awaiting on clarification regarding the back tax issue and I apologize for the delay in responding back to you. Ultimately, a minimum of 25% of the tax title balance (\$7110.33) as well as your current FY2019 taxes would be due before we can determine a payment plan. The only lien the Collector's office has placed on your properties is a tax title lien which would be released upon payment of all taxes due. My office has no issue with you moving forward with a new ANR plan. Past due taxes have no bearing on this process.

I will hopefully have more information for you later today.

Best Regards,

Kristen J Noel, CMMC/CMMT

Collector / Treasurer

Town of Bolton

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Cynthia Bradbury <assessorsadmin@townofbolton.com>

Mon, Feb 25, 2019 at 11:21 AM

To: Kristen Noel <treasurer@townofbolton.com>, Erica Uriarte <townplanner@townofbolton.com>, Alan DiPietro <alandipietro@gmail.com>, Michelle Carlisle <collector@townofbolton.com>

Mr. DiPietro,

From the Board of Assessors standpoint, it would be best that it is clearly notated on a new plan/survey for 3E-33, that the lot has been determined as unbuildable by Planning Board. If this is the case, that Planning Board deems/reverts the lot back to unbuildable prior to the current Variance, you can file for an abatement for upcoming fiscal year - FY2020 for a change in value and going forward. There is no provision for a prior year abatement/credit on value, each year stands on its own for value consideration.

Regards,

Cynthia Bradbury

Assistant Assessor

From: Kristen Noel
Sent: Monday, February 25, 2019 10:52 AM
To: Erica Uriarte; Cynthia Bradbury
Subject: FW: Back Taxes - Teele Road 3e-33 et al

Good morning ladies –

I believe you would be better equipped at answering Mr. DiPietro’s questions regarding variances and tax credits. Thank you!

Best Regards,

Kristen J Noel, CMMC/CMMT

Collector / Treasurer

Town of Bolton

From: Alan DiPietro <alandipietro@gmail.com>
Sent: Monday, February 25, 2019 10:48 AM
To: Michelle Carlisle <collector@townofbolton.com>

[Quoted text hidden]

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Alan DiPietro <alandipietro@gmail.com> Mon, Feb 25, 2019 at 1:16 PM
To: Kristen Noel <treasurer@townofbolton.com>, Michelle Carlisle <collector@townofbolton.com>
Bcc: Jeri Dipietro <sunsunbrown@gmail.com>

Thanks Kristen

Will a payment plan get the Order of Conditions for 3e-33 issued? It's approved but being held up for back taxes?
Same question for the Septic Permit for 3e-33, I'm about to apply for?

The Town of Bolton - Conservation Commission etc. in some form has recorded Judicial Liens against me / my property.
If these are not supposed to be paid to the Collectors Office then could you please point me in the right direction.

What is the process to have these money judgements released?
To whom should these be paid and are there any other requirements for release?

-Alan
[Quoted text hidden]

Kristen Noel <treasurer@townofbolton.com> Mon, Feb 25, 2019 at 1:46 PM
To: Alan DiPietro <alandipietro@gmail.com>

If we can enter into this payment plan for your tax title balance (again, which I am still trying to get clarification on), this would only hold off the beginning of the foreclosure process on your parcels. As long as you have any real estate tax balance more than 12 months past due, department heads are unable to issue permits. Rebecca Longvall can answer any questions related to your specific conservation questions. She can be reached at concom@townofbolton.com.

The tax title lien that has been placed on each parcel would be "redeemed" once the balance on that particular parcel has been paid. Funds would be paid to the Town and an additional \$75.00 would go to the Registry of Deeds to record the redemption.

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Alan DiPietro <alandipietro@gmail.com> Mon, Feb 25, 2019 at 4:18 PM
To: Kristen Noel <treasurer@townofbolton.com>, concom@townofbolton.com
Bcc: Jeri Dipietro <sunsunbrown@gmail.com>

Thanks Kristen,

Must the 25% be distributed evenly across the 5 lots or can it all be put towards 3e-33 to pay it off so I can sell it?

Rebecca,

Once I redeem the tax title on 3e-33 the Order of Conditions will issue. Is this automatic? How long will it take?

How do I get a release of the Money Judgement on 3e-33? Who does it get paid to and what is the process to issue the release?

-Alan
[Quoted text hidden]

Rebecca Longvall <concom@townofbolton.com>
To: Alan DiPietro <alandipietro@gmail.com>, Kristen Noel <treasurer@townofbolton.com>

Tue, Feb 26, 2019 at 12:43 PM

Alan,

Once your taxes are current on 3E-33 then I will place you on the Conservation Commission agenda. At that time the Conservation Commission will review and establish whether or not they are able to issue the Order of Conditions.

Regarding the release of the "money judgement", it would be released once it is paid in full. You should be able to consult with an attorney or the Superior Court's clerk office where the decision was issued to find further details regarding your second inquiry.

thank you for your interest in our natural resources,

From: Alan DiPietro <alandipietro@gmail.com>

Sent: Monday, February 25, 2019 4:18:17 PM

To: Kristen Noel; Rebecca Longvall

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Rebecca Longvall <concom@townofbolton.com>
To: Alan DiPietro <alandipietro@gmail.com>, Kristen Noel <treasurer@townofbolton.com>

Tue, Feb 26, 2019 at 12:50 PM

Alan,

I just wanted to clarify that when I state "once your taxes are current" it is also relevant to the other parcels you own in town. All taxes on parcels you own within town must be current prior to issuance of any permits.

thank you for your time on this matter,

From: Rebecca Longvall

Sent: Tuesday, February 26, 2019 12:43:10 PM

To: Alan DiPietro; Kristen Noel

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Alan DiPietro <alandipietro@gmail.com>
To: Rebecca Longvall <concom@townofbolton.com>
Cc: Jeri Dipietro <sunsunbrown@gmail.com>, Bryan Williamson <Bryanwilliamson451@gmail.com>, Sarina DiPietro <sarina.dipietro@gmail.com>

Tue, Feb 26, 2019 at 1:03 PM

Thanks Rebecca

Once the taxes are current what is there to determine?

The Order of Conditions is already approved and signed it was only held up because of the taxes. I was told by you at the time it would simply be released once the taxes were paid.

Is there some other reason the Order of Conditions would not issue?

How long will this new process take, from when the taxes are paid?

Do I need to provide you with some kind of proof or notification of payment?
Will I have to attend this meeting?

Thanks
-Alan

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Alan DiPietro <alandipietro@gmail.com>

Tue, Feb 26, 2019 at 1:15 PM

To: Rebecca Longvall <concom@townofbolton.com>

Cc: Jeri Dipietro <sunsunbrown@gmail.com>, Bryan Williamson <Bryanwilliamson451@gmail.com>, Sarina DiPietro <sarina.dipietro@gmail.com>, Judith.Schmitz@state.ma.us

Thank You Rebecca

Just to be clear:

Once ALL the Bolton Taxes are current what is there to determine?
Does the "Money Judgement" need to be paid to Bolton before the Order of Conditions can issue?

The Order of Conditions is already approved and signed it was only held up because of the taxes. I was told by you at the time it would simply be released once the taxes were paid.

Is there some other reason the Order of Conditions would not issue?

How long will this new process take, from when the taxes are paid?

Do I need to provide you with some kind of proof or notification of payment?

Will I have to attend this meeting?

-Alan

[Quoted text hidden]

Rebecca Longvall <concom@townofbolton.com>

Tue, Feb 26, 2019 at 1:25 PM

To: Alan DiPietro <alandipietro@gmail.com>, Kristen Noel <treasurer@townofbolton.com>

Cc: Jeri Dipietro <sunsunbrown@gmail.com>, Bryan Williamson <Bryanwilliamson451@gmail.com>, Sarina DiPietro <sarina.dipietro@gmail.com>

Alan,

You are not required to attend the meeting but all applicants are welcome to attend public meetings.

The Order of Conditions issuance occurs during a public meeting just as it does with any other applicant.

In order for something to be discussed during a public meeting it must be on the agenda.

This is not a new process, either way it is a completion of a process you had been working on.

Yes, you would need to provide proof of payment.

Once you are current on taxes on all of your properties provide proof of payment regarding your taxes and the "money judgement" release (again this information should be available from the clerk's office of superior court in Worcester).

At which time I am able to place you on the agenda for the Conservation Commission to review and establish whether or not they are able to issue the Order of Conditions at that time.

Thank you for your interest in our natural resources,

From: Alan DiPietro <alandipietro@gmail.com>
Sent: Tuesday, February 26, 2019 1:03:32 PM
To: Rebecca Longvall
Cc: Jeri Dipietro; Bryan Williamson; Sarina DiPietro
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Alan DiPietro <alandipietro@gmail.com> Tue, Feb 26, 2019 at 1:55 PM
To: Rebecca Longvall <concom@townofbolton.com>, Judith.Schmitz@state.ma.us
Cc: Kristen Noel <treasurer@townofbolton.com>, Jeri Dipietro <sunsunbrown@gmail.com>, Bryan Williamson <Bryanwilliamson451@gmail.com>, Sarina DiPietro <sarina.dipietro@gmail.com>

Thank You

Can you please direct me to the Bolton Town By-Law and or State Statute that requires the "Money Judgment" to be paid prior to the issuance of a permit?

If the judgement is owed to the Town of Bolton, to whom at the Town of Bolton should it be paid?

Is there any other reason that the Order of Conditions would not issue?

-Alan

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Alan DiPietro <alandipietro@gmail.com> Tue, Feb 26, 2019 at 2:08 PM
To: Kristen Noel <treasurer@townofbolton.com>
Cc: Jeri Dipietro <sunsunbrown@gmail.com>, Judith.Schmitz@state.ma.us

Hi Kristen

Any progress on the payment plan?

Does the "Money Judgement" need to be released to remove my name for the delinquent tax list?

"A list of any person, corporation, or business enterprise, hereinafter referred to as the "party," that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve-month period" **215-1**

It looks like a payment plan should stop the foreclosure and issue the permits.

Any party "**shall**" be given an opportunity to enter into a payment agreement.

215-3 **Payment Agreements.**

Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit, and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law. **215-3**

<https://www.ecode360.com/14850162>

I would like to enter into a payment agreement ASAP!

Alan DiPietro
201 Maple Street
Stow MA 01775
978 333 4345
alandipietro@gmail.com

On Mon, Feb 25, 2019 at 11:01 AM Kristen Noel <treasurer@townofbolton.com> wrote:

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Rebecca Longvall <concom@townofbolton.com>

Tue, Feb 26, 2019 at 2:10 PM

To: Alan DiPietro <alandipietro@gmail.com>, "Judith.Schmitz@state.ma.us" <Judith.Schmitz@state.ma.us>
Cc: Kristen Noel <treasurer@townofbolton.com>, Jeri Dipietro <sunsunbrown@gmail.com>, Bryan Williamson <Bryanwilliamson451@gmail.com>, Sarina DiPietro <sarina.dipietro@gmail.com>

The priority is to pay off your taxes at which time the town will be able to issue permits to you, until that is done issuance cannot occur.

The payment would be made out to the town of Bolton, similar to how you would pay for an application fee. Again, I would encourage you to reach out to an attorney or the clerk's office at superior court to inquire about specifics related to the decision regarding the "money judgement".

If all is in order, there should not be any issues with issuing the order.

thank you for your interest in our natural resources,

From: Alan DiPietro <alandipietro@gmail.com>

Sent: Tuesday, February 26, 2019 1:55:21 PM

To: Rebecca Longvall; Judith.Schmitz@state.ma.us

Cc: Kristen Noel; Jeri Dipietro; Bryan Williamson; Sarina DiPietro

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Alan DiPietro <alandipietro@gmail.com>

Thu, Feb 28, 2019 at 9:20 AM

To: "Judith.Schmitz@state.ma.us" <Judith.Schmitz@state.ma.us>, Rebecca Longvall <concom@townofbolton.com>
Cc: Bryan Williamson <Bryanwilliamson451@gmail.com>, Jeri Dipietro <sunsunbrown@gmail.com>, Kristen Noel <treasurer@townofbolton.com>, Sarina DiPietro <sarina.dipietro@gmail.com>

Thank You Rebecca

Seeing as the conservation commission brought the legal action that resulted in the judgement you as their representative should be able to tell me what is not in order relative to releasing a permit on 3e-33

Please tell me exactly what needs to be done relative to said "Money Judgment" or otherwise before you will issue the already approved order of conditions.

Thank You
Alan DiPietro

[Quoted text hidden]

Alan DiPietro <alandipietro@gmail.com>

Wed, Mar 6, 2019 at 9:50 AM

To: "Judith.Schmitz@state.ma.us" <Judith.Schmitz@state.ma.us>, Rebecca Longvall <concom@townofbolton.com>
Cc: Bryan Williamson <Bryanwilliamson451@gmail.com>, Jeri Dipietro <sunsunbrown@gmail.com>, Kristen Noel <treasurer@townofbolton.com>, Sarina DiPietro <sarina.dipietro@gmail.com>

Rebecca

What is the payoff amount of the Money Judgement?
To Whom does it need to be paid?
Who will Issue the release?
Who needs to record it the Town or me?

Is there anything other than the Back Taxes and the Money Judgement that is holding up the release of the Order of conditions for 3e-33?

Alan DiPietro
110 Teele Road
Bolton Ma 01740

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Rebecca Longvall <concom@townofbolton.com>

Wed, Mar 6, 2019 at 10:22 AM

To: Alan DiPietro <alandipietro@gmail.com>, "Judith.Schmitz@state.ma.us" <Judith.Schmitz@state.ma.us>

Cc: Bryan Williamson <Bryanwilliamson451@gmail.com>, Jeri Dipietro <sunsunbrown@gmail.com>, Kristen Noel <treasurer@townofbolton.com>, Sarina DiPietro <sarina.dipietro@gmail.com>

Alan,

Regarding the "Money Judgement":

I would again, encourage you to reach out to an attorney or to the superior court clerk's office where the decision was issued, for information regarding the Monday judgement.

Regarding the permit:

Once all taxes are current for your properties, the Conservation Commission would be the board who would have the authority to release the local permit.

You would then need to have the document recorded, this is always the responsibility of the applicant. Once recorded you will need to provide the Book and Page information from the Worcester Registry of Deeds to the Conservation Department.

Thank you for your interest in our natural resources,

Rebecca

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Alan DiPietro <alandipietro@gmail.com>

Thu, Mar 7, 2019 at 9:48 AM

To: Rebecca Longvall <concom@townofbolton.com>

Cc: "Judith.Schmitz@state.ma.us" <Judith.Schmitz@state.ma.us>, Bryan Williamson <Bryanwilliamson451@gmail.com>, Jeri Dipietro <sunsunbrown@gmail.com>, Kristen Noel <treasurer@townofbolton.com>, Sarina DiPietro <sarina.dipietro@gmail.com>

Rebecca

Thank You so much for all your help.

To be clear the Conservation Commission is "The licensing authority" per 215-2, for "The Order of Conditions"
<https://ecode360.com/14850159>

The licensing authority (The Conservation Commission) is holding up my permit *solely* due to back taxes per 215-2. And it is the Conservation Commission who will release "The Order of Conditions" for lot 3e-33 once the taxes are paid and recorded.

The "Order of Conditions" for lot 3e-33 is not being held up nor can it be held up because of the "money judgement" or its having been recorded as a lien on my property. And the permit will be issued without having the "money judgement lien" paid or released. Correct?

Is there anything else that is holding up the local, "Bolton Order of Conditions"? Has the "Massachusetts Order of Conditions" been issued yet?

Alan DiPietro
110 Teele Road
Bolton Ma 01740
alandipietro@gmail.com

[Quoted text hidden]

Rebecca Longvall <concom@townofbolton.com>

Mon, Mar 11, 2019 at 9:15 AM

To: Alan DiPietro <alandipietro@gmail.com>

Cc: "Judith.Schmitz@state.ma.us" <Judith.Schmitz@state.ma.us>, Bryan Williamson <Bryanwilliamson451@gmail.com>, Jeri DiPietro <sunsunbrown@gmail.com>, Kristen Noel <treasurer@townofbolton.com>, Sarina DiPietro <sarina.dipietro@gmail.com>

Alan,

I have already provided you with the answers to your inquiries and guidance on whom you may contact regarding any unanswered portions of your inquiry. I do not have any additional information for you. Please refer to the previous correspondence in this thread.

Thank you for your interest in our natural resources,

Rebecca Longvall

Conservation Agent

Town of Bolton

[663 Main Street](#)

[Bolton, MA 01740](#)

Phone: 978. 779. 3304

Fax: 978. 779. 5461

Email: concom@townofbolton.com

"Conservation is a cause that has no end. There is no point at which we will say our work is finished" - Rachel Carson

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Alan DiPietro <alandipietro@gmail.com>

Mon, Mar 11, 2019 at 9:26 AM

To: Rebecca Longvall <concom@townofbolton.com>

Cc: "Judith.Schmitz@state.ma.us" <Judith.Schmitz@state.ma.us>, Bryan Williamson <Bryanwilliamson451@gmail.com>, Jeri Dipietro <sunsunbrown@gmail.com>, Kristen Noel <treasurer@townofbolton.com>, Sarina DiPietro <sarina.dipietro@gmail.com>

Thank You Rebbeca

I need these permit(s) issued, in order to sell, so that I can pay my back taxes.

How do I ask the "Town" if it will release my permit(s)?

When was the hearing relative to "denying, revoking or suspending a license or permit" held?

"provided, however, written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing" 215-2 <https://ecode360.com/14850159>

I would like to request a hearing. How do I do this?

Thank You

Alan DiPietro
110 Teele Road
Stow MA 01740

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Alan DiPietro <alandipietro@gmail.com>

Thu, Jan 21, 2021 at 9:10 AM

To: rich@commongrow.com

early emails to tax collector and cons com trying to resolve these issues before letter from Gibbons telling me to direct all questions to him after which he ignored me.

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 **March Letter Gibbons.pdf**
41K

Richard E. Cavanaugh, Esq <commongrowmail@fastmail.fm>

Fri, Jan 22, 2021 at 4:45 PM

Reply-To: rich@commongrow.com

To: Alan DiPietro <alandipietro@gmail.com>

Alan,

Thanks for the additional information. Time and tide have conspired against me this week, so I'm going to need to take some time this weekend to review it. Might you be available on Monday (1/25) in the afternoon/evening for a phone call?

Rich

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