

SHERWOOD GREENS ROAD IMPROVEMENT and MAINTENANCE DISTRICT

Phone 413 274 2374

Prudential Committee Agenda for the

Special April 21, 2022 Meeting

7:00pm

Theresa Hayden is inviting you to a scheduled Zoom meeting.

Topic: Wesley Moore's Request -District Road Tax Exclusion

Time: Apr 21, 2022 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87851924866?pwd=VGpJbm5ienJVNXB0VGFIYjdpc1RXZz09>

Meeting ID: 878 5192 4866

Passcode: 629894

Agenda

1. To discuss Wesley Moore's written request for District Road Tax Exclusion for lots 117 and 118.

Sherwood Greens Prudential Committee  
1439 Jacobs Ladder Road  
Becket, MA 01223

3/25/2022

Subject: Section 19 Exclusion of Estate

We are the owners of lot 148 located at 34 Fairway Drive. As such I pay road tax to Sherwood Greens for Fairway Drive.

We are now the owners of lots 117 and 118, purchased from Scott Levy. The point of contention we have is the road tax assessed against these two lots. The maps in play shows Fairway Drive linking with Meadow Lake Drive. Fairway Drive was never put through, only on paper.

Lot 118 is south/below lot 148 and does not boarder any roads. Lot 117 borders RT 20 and a short segment of the lead-in to the entrance of Fairway Drive off of RT 20.

**Property Description**

- Silver Leaf Drive, Parcel ID 213.0-0118-0000G

If the property line crosses the wetland and pond, it does not extend up to the road cited. The lot is situated as to be unable to benefit from any listed street or way which is improved or maintained by the district. In turn, there are private lots and homes along the pond/wet lands towards Wards Pond.

- Silver Leaf/Fairway, Parcel ID 213.0-0117-0000G

Fairway Drive terminates at the turnaround off RT 20. It only appears **on-paper** crossing the wetland and pond. It does not extend up to the road cited. The lot is situated as to be unable to benefit from any listed street or way which is improved or maintained by the district. In turn, there are private lots and homes along the pond/wet lands towards Wards Pond.

I am not requesting any exclusion for lot 148.

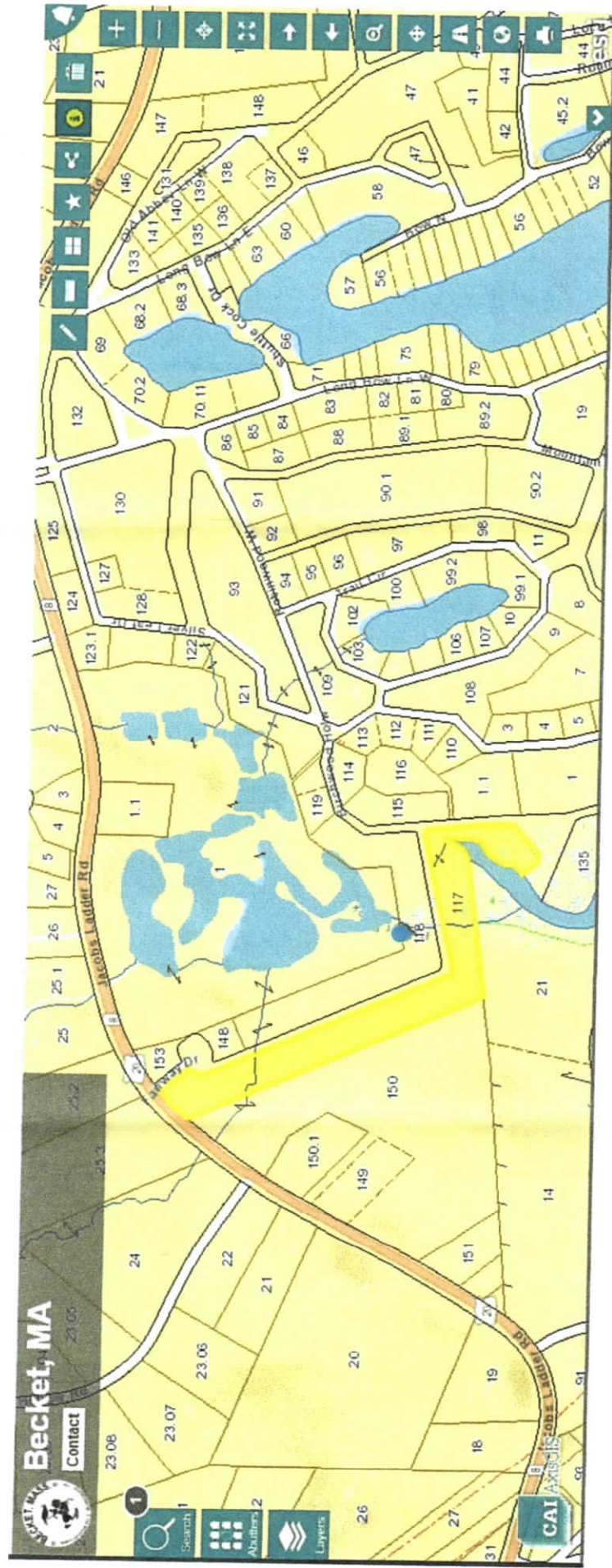
Sincerely,

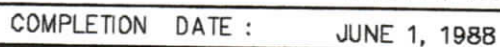


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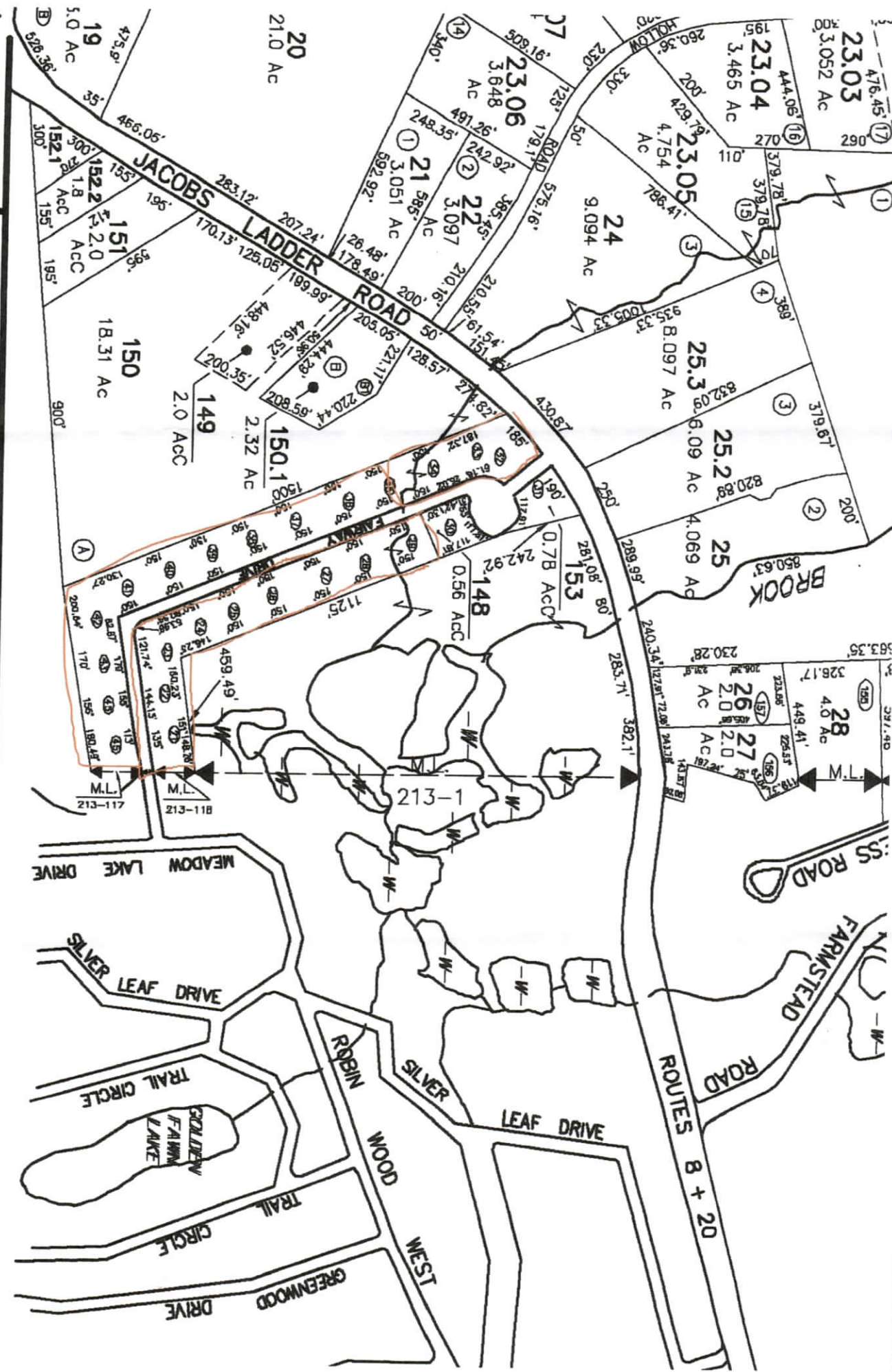


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**LEGEND**

AREA CALCULATED  
 AREA SURVEYED  
 COMMON OWNERSHIP  
 EXEMPT PROPERTY  
 MATCH LINE  
 POND NAME

ACC  
 AC  
 OR  
 M.L.  
 WETLANDS

RECORD DIMENSION 100'  
 RIGHT OF WAY R/W  
 SCALED DIMENSION 100'S  
 SUBDIVISION LOT NO. 2



REVISED TO :

JLTANTS  
 NH 03561

**SHERWOOD GREENS ROAD IMPROVEMENT AND MAINTENANCE DISTRICT**  
**413-274-2374**

**Prudential Committee Special Meeting Minutes for April 21, 2022**

The meeting was called to order at 7:02PM.

In attendance were Committee members Terry Hayden, Marc Schultz, Bruce Lipton & Joe Hanrahan

Also present were Bob Moore – Road Superintendent & Jane Hanrahan-District Clerk  
Residents present: Wesley Moore & Sandy Moore

The meeting was recorded.

This special meeting was called to discuss Wesley Moore's Request for a District Road Tax Exclusion

Jane Hanrahan read into the minutes a letter submitted by Wesley Moore requesting an exclusion from the obligation to pay the district road tax.

Wesley was given an opportunity to address the board and shared that he feels that because the property he purchased does not provide access to and does not boarder any roads that are maintained by SGRD that he should be excluded from paying taxes. The roads are overgrown and are paper roads only. He is questioning being charged taxes for maintenance when nothing is maintained.

Terry shared that before an exclusion from taxes can be made the SGRD board needs to vote and then present an article on the warrant at the Annual Meeting of the residents. Terry also shared that some board members did a site visit to see that property and the roads so that the process was fair and transparent.

Per Section 19 of the Special Act of Sherwood Greens if a resident benefits from any road in the district proprietors are not permitted to be excluded from paying taxes. Since Wesley Moore's property can only be accessed from roads in Sherwood Greens that are maintained by SGRD, he is not eligible to be excluded from paying taxes.

Marc commented that part of being in Sherwood Greens is benefiting from not only the roads but the lakes as well and regardless of the access. The proprietors do benefit from the roads and lakes that are maintained by SGRD. Bruce and Joe echoed Marc's assessment.

A motion made by Marc and seconded by Bruce: By majority vote of the Prudential Committee at this meeting, April 21, 2022, duly called for the purpose of voting on the application of Moore/Askins to have the Property lots 117 1nd 118 be excluded from the District under Section 19, the Prudential Committee votes not to exclude the Properties because the access to the Properties is over the streets maintained by the District.

Motion approved unanimously over roll call by Marc, Bruce, Terry, and Joe.

Terry reiterated that this request will be an Article on the Warrant to be presented at the Annual Meeting on June 4<sup>th</sup> at 9am.

A motion was made by Marc and seconded by Bruce to end the meeting. Motion approved unanimously over roll call by Marc, Bruce, Terry, and Joe.

Meeting adjourned at 7:25PM.

Respectfully submitted,  
Jane Hanrahan, District Clerk

**Documents discussed at this meeting:**

Special Act Sherwood Greens

Vote of The Prudential Committee Regarding Application to be Excluded from the District

Wesley Moore's Letter for Tax Exclusion including property maps

**SHERWOOD GREENS ROAD IMPROVEMENT AND MAINTENANCE DISTRICT  
BECKET, MASSACHUSETTS**

**VOTE OF THE PRUDENTIAL COMMITTEE REGARDING APPLICATION TO BE  
EXCLUDED FROM THE DISTRICT**

WHEREAS, the Sherwood Greens Road Improvement and Maintenance District (the "District") was established by the procedures set forth in Chapter 31 of the Acts of 1997, as amended by Chapter 235 of the Acts of 2006 (together, referenced as the "Special Act"); and

WHEREAS Section 19 of the Special Act provides a procedure for exclusion from the District; and

WHEREAS, Wesley P. Moore and Susan M. Askins ("Moore/Askins") are owners of real property located in the District as set forth in a deed recorded in the Berkshire Middle District Registry of Deeds in Book 7044, Page 231, (the "Property"); and

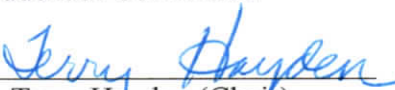
WHEREAS Moore/Askins has requested that the District Prudential Committee vote to exclude this Property from the District; and

WHEREAS, Section 19 of the Special Act also provides "that no estate shall be subject to any tax assessed on account of the repair and maintenance of roads under this act if, in the judgment of the prudential committee, after a hearing, due notice of which shall be given, such estate is so situated that it can receive no benefit from the repair and maintenance provided in the district."

NOW THEREFORE, by majority vote of the Prudential Committee at a meeting on April 21, 2022, duly called for the purpose of voting on the application of Moore/Askins to have the Property be excluded from the District under Section 19, the Prudential Committee votes not to exclude the Property lots 117 and 118 because the access to the Properties is over the streets maintained by the District by roll call vote.

FURTHERMORE, as provided in Section 19 of the Special Act, the petition to exclude the Property shall be included in the Warrant for the Annual District Meeting, with a record of this Vote.

The Prudential Committee:

BY:   
Terry Hayden (Chair)

VOTE: 4 for 0 against 0 abstained:

Terry Hayden  
Marc Schultz  
Bruce Lipton  
Joe Hanrahan