

# The Hummel Report: An Investment Is in the Sewer



The proposal was aimed at helping businesses in North Kingstown. And in 2009, voters there approved it, giving the green light to a \$10 million bond issue for sewer installation along Post Road — part of a larger project that will eventually include another section of Post Road to the north and The Wickford Business District farther south.

“I thought it would be a good thing for Post Road. Post Road’s been dying, for years and years and years,” said Gordon Kilday Jr., whose family has owned Quonset Auto Body for decades. His father moved to their current location in 2001 when the state took their property by eminent domain in the late 1990s to expand Route 403 into Quonset.



The Kildays had to scramble to find land and wound up on a lot that is only a couple of hundred feet wide, but 2000 feet in from Post Road. The property in the back, which we couldn’t even get to, and drops off 30-40 feet into a swamp, making it virtually unusable.

“They call them pencil lots,” he said. “My lot is a half mile long. We didn’t want all the property, but it was owned by the farmer who owned this land, so we had to buy the whole piece of property, then have it rezoned.”

And that would come back to haunt Kilday when the town assessed his lot for sewers. In 2014 he received a bill for more than half a million dollars — before even hooking up to the system. That’s because North Kingstown — unlike any of the surrounding communities in Rhode Island — calculated the assessment of commercial property based on total square footage, instead of frontage along Post Road.

Kilday is not alone.

John Becker moved to North Kingstown three years ago and was looking for property that would generate some income. So he bought two multi-family units just north of Quonset Auto Body. Same kind of lot: 200 feet wide and half a mile deep, for a total of nearly 11 mostly wooded acres of land. Becker's sewer assessment came in at \$321,000. His land for tax purposes is valued at \$286,000.



"It's just a shocking amount of money," Becker said. "It's insane. You're never going to get that from the land. The trees don't pay any income. Squirrels don't pay me any rents. And the odds of making money on this parcel are really slim."

Becker, Kilday and the owner of the Pagoda Inn, between them, have hired an attorney to appeal. But this is new territory for the town: The vast majority of North Kingstown has no sewers, so the town council is going to act as the appeals board, the first time it has had to do so.

The town so far has billed Kilday \$60,000, but pushed off the payment date until next year.

Council President Kerry McKay tells *The Hummel Report* he is hesitant to speak in detail publicly about the situation because he and his fellow council members will ultimately decide the appeal sometime this fall.

The state legislation authorizing the bond contained wording that says, in part: "*Such assessments shall be just and equitable and shall be based upon frontage or area within a specified reasonable distance from the street ... or other equitable method ... as may be determined by the town council.*"



It also says the council can make adjustments. Becker said just he's looking for a reasonable assessment. "I mean I understand it costs money to build sewers and I understand it's not cheap, but the way things are working right now they're really unfairly penalizing these massive lots that are not that useful."

Kilday told us the last thing he wanted to do was have to go public with his situation. "I fly under the radar. I don't like to make waves. I don't like to fight with people. I like to come to work and do my job and I like to go home and enjoy my family. So I didn't want to go in front of a camera. I didn't want to write a letter to the editor. But I've been backed into a corner — I don't have any choice. Because I don't know what else to do."

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