

Foreclosed homes a reality check for Easton developers

Homes bought to make way for delayed development hit auction block

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Posted Nov 24, 2008 @ 03:32 AM

EASTON — Three houses on Foundry Street bought by developer Charles M. “Nick” Mirrione three years ago to make way for his Saw Mill Pond affordable housing development were facing foreclosure last week.

Two of the houses, at 578 Foundry St. and 582 Foundry St., were sold at public auction on Thursday afternoon. The third home, at 574 Foundry St., is scheduled for auction Dec. 2 at 2 p.m.

Reached for comment last week, Mirrione said the unpaid mortgages, through Countrywide Home Loans, belong not to him but to John Hooper, his business partner, and James Walsh, a man with whom he formerly did business.

“I was the trustee of the (realty) trust but not the owner of the homes,” said Mirrione. “They got the mortgages in their own names. Believe me, I’m not the one the bank is calling every day for payment. It’s them.”

Legal notices advertising the auctions listed Hooper as the holder of the mortgage at 582 Foundry St. and Walsh as holding the mortgages at 574 Foundry St. and 578 Foundry St. At the auction on Thursday, Walsh bought back 578 Foundry St., while 582 Foundry St. was sold to a third party.

Records in the town assessor’s office show that all three properties have been owned since January 2006 by Saw Mill Pond Realty Trust, of which Mirrione is the trustee.

The trust has paid the property taxes on the three houses through Nov. 1, according to the tax collector’s office. In the year that began July 1, 2007, and ended June 30, 2008, Mirrione’s trust paid a total of \$11,052 in real estate taxes on the three.

The houses were bought in May and June 2005 for \$525,000 each, which was well above their market value at the time.

They are assessed for tax purposes in the low \$300,000s today.

When he bought the homes in 2005, Mirrione said he was paying more than market value to satisfy the homeowners, who would otherwise have been abutters to his 40B project, which was to include 144 apartments in four, three-story buildings next to the Belcher foundry.

In 2006, however, after the state decided the site was not suitable for a wastewater treatment plant, Mirrione scaled back the project, deciding to build 44 townhouse condominiums instead.

The project has been stalled since that time, with no construction taking place.

“Even if I wanted to, I don’t think I could finance it,” Mirrione said. “It doesn’t make sense to do anything right now with the economy the way it is.”

Mirrione noted that Saw Mill Pond Realty Trust is a different entity than Saw Mill Pond LLC, which holds the special permit from the Zoning Board of Appeals to build the affordable housing project. He is a principal in both companies.

Mirrione is continuing to seek approval from the zoning board for two other 40B projects, Eastondale Cottages on Pine Street and West Meadow Cottages on Turnpike Street, despite the difficult economy.

“It doesn’t mean you don’t prepare for the future,” Mirrione said. “A year and a half from now, if the economy turns around, we’ll have the permits in place. In times like this, you just get prepared.”

The Easton Conservation Commission decided last month to buy 36 acres of Saw Mill Pond land from Mirrione. It is paying Mirrione \$175,000 for three parcels, two of which are wet and cannot be built upon.

Stephanie Danielson, the town’s land use agent, said the purchase is important for the Bay Circuit Trail, a recreation trail and greenway corridor that runs through 21 towns.

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