

**MINUTES
BOARD OF CIVIL AUTHORITY (BCA)**

**TAX APPEAL HEARINGS
MONDAY, AUGUST 24, 2020**

Meeting convened at 6:00 p.m. on the apparatus floor of the Barnet Fire & Rescue Station (151 Bimson Drive, Barnet).

Board members present: Chair William Graves, Steven Adler, Susan Coppenrath, Dylan Ford, Benjamin Gates, Benjamin Heisholt, Susan Jensen, Dennis McLam, and Shellie Samuels.

Others present:

- **Listers:** John Cook, Sarah Cook, and John Fairchild.

1. Continuation of 2020 tax appeal hearings commenced August 3, 2020

a. Receive reports of inspection committees

The reports of the inspection committees for each of the four parcels were received. Each committee read its report and briefly commented on the inspection. Each of the reports is re-printed below, following the identification of its respective parcel.

Appellant: Hayes, Patrick
Parcel ID: 00020-20-28
E911 Address: 921 West Main Street
To: Barnet Board of Civil Authority
From: Susan Jensen, Dennis McLam, Sue Coppenrath
Date: August 24, 2020
Re: Inspection of Patrick Hayes's property at 921 West Main Street

The inspection was made at 6:30 PM on Thursday, August 6, 2020. The taxpayer was present for the inspection.

The property is located on West Main Street in West Barnet. The house is a listed as a 3-bedroom, 1 bath house built in 2003. The land immediately around the house has been cleared. We inspected the house and compared it both with the notes the property owner had made and those of the appraiser.

We found that the house is about 70% completed. Although the house has a second floor with 2 planned bedrooms and a bathroom, that floor is completely unfinished. The flooring on the first floor is incomplete. Although reported by the appraiser to have a garage/shed, we found that there is none. The house has a utility room that is used for the furnace and water heater. There are no detached buildings on the property.

The appealed property is currently appraised at \$90,300.00. In light of the above observations, we recommend that the BCA adjust the assessment.

Appellant: King, Joseph & Jamielee
Parcel ID: 0021-21-03.1
E911 Address: None – land only parcel located on Shoreline Drive
TO: Barnet Board of Civil Authority
FROM: Steve Adler
DATE: August 14, 2020
RE: Inspection of 207 Shoreline Drive, Barnet, VT owned by Joseph and Jamielee King.

On behalf of the BCA, I inspected this property at the prescheduled time of 5:15pm on August 14. Again, by prior arrangement, neither of the Kings were present.

Inspection Report

The Kings purchased this property in 2019 for \$95,000.00. This year, the property was assessed at \$253,500.00; the Kings have yet to build any structures on the property. Although the lot has considerable frontage on Harvey's Lake, there are significant restrictions on development pursuant to the Shoreline Protection Act.

Since acquisition, the Kings have begun improvements including a gravel path down to the waterfront and a small parking area near Shoreline Drive.

“Jamie” from the independent appraisal firm hired by the Town, testified at the BCA hearing that the assessment for the Kings was done in error. He recalculated the figures and concluded the correct property assessment is \$105,600.00. The Kings testified that they would not have grieved their assessment had the correct calculations been made and the property assessed at \$105,600.00. Based upon my review of the property from walking the land, I agree that the \$105,600.00 is an appropriate current assessment and recommend that figure to the BCA.

Appellant: Timson, Bernard & Susan
Parcel ID #: 0021-21-66
E911 Address: 2677 Roy Mountain Road

To: The Board of Civil Authority

From: Benjamin Gates, Dylan Ford; inspection committee

Date: August 24, 2020

RE: Inspection of property at 2677 Roy Mountain Road, owned by Bernard Timson.

Inspection was made on August 12 at 7:30am by Mr. Gates and Ms. Ford. Mr. Timson was present and accompanied by members of the inspection committee. The residence is located on Roy Mountain Road. It is well-maintained and set back with a mowed lawn in front. The property is defined by a split rail fence on one side and sloped drainage ditch to the other side. The residence is a single-wide 1959 trailer with a sunroom attached to the front. It has been recently covered with vinyl siding and sits on concrete blocks. There is a paving stone deck along the front. The land near the road appears raised to accommodate a septic. Behind the trailer is forested with a small stream in the back. There is a covered dry well where Mr. Timson can monitor the water table height. It is clear that there is water issue on the property. The ground was still holding some water when we have had very little rain this summer. The water was about 20”-24” from the top of the dry well. The outbuilding is a small prebuilt structure in the back. New the outbuilding would be around \$2000.

The house contains 2 bedrooms, 1 bathroom with a tub and shower, a small kitchen and living room. There is a small sunroom that has been attached to the front of the trailer. The trailer is uninsulated and the linoleum is coming up in some places. When Mr. Timson ran the water in the bathroom, it ran silty and black. There appears to be no potable water on site. The water smelled strongly of sulfur. The residence had, at one time a view of Harvey’s Lake. Due to a large log cabin and growing trees across the street on the lakeside, that is no longer the case. The value under appeal is \$49,900.

Appellant: VTRE Investments, LLC
Parcel ID #: 0021-21-01
E911 Address: 279 Shoreline Drive

TO: Barnet Board of Civil Authority

FROM: Steve Adler

DATE: August 14, 2020

RE: Inspection of 279 Shoreline Drive, Barnet, VT

On behalf of the BCA, I inspected this property at the prescheduled time of 5:30pm on August 14.

Inspection Report

On August 14, I arrived at 279 Shoreline Drive by prearrangement with Nick Lizotte d/b/a VTRE Investments, LLC. Although a black Mercedes with Florida license plates was parked there, and Mr. Lizotte had previously advised he would be staying at the property that night and was scheduled to meet me at 5:30, no one answered my knock on the door. A dog was barking inside the house. My subsequent phone call and email to Mr. Lizotte have gone unanswered.

I was therefore unable to inspect the inside of the house although I did walk all over the property and look at the outbuildings. In particular, I examined the steep bank leading down to the frontage of the property for signs of instability since that was the basis of the original grievance.

“Jamie” from the independent appraisal firm explained that the property was initially assessed at \$600,300.00 but that was based on an erroneous calculation. The correct calculation would have the property assessed at \$579,900.00. Mr. Lizotte advised the Board of Civil Authority that he would accept \$579,900.00. Although I am unable to report to the Board on the condition of the inside of the property, in light of the admitted error in the calculations, I recommend the BCA accept the new assessment of \$579,900.00.

b. Accept any applicable legal data and testimony for consideration

No additional legal data or testimony was submitted.

c. Deliberate and decide appeals

The Board discussed and decided the appeals in open session. A summary of the discussion of each appeal, and the decision as voted, follows below:

Appellant: Hayes, Patrick
Parcel ID: 00020-20-28
E911 Address: 921 West Main Street

- Mr. Gates suggested that the parcel’s value is already reduced with regard to completion percentage based on the depreciation values applied.
- Mr. Gates suggested that percentage complete less than 100% should only be applied for a certain period of time, after which the dwelling would be in its final completion state.
- Mr. Graves suggested that the Board must view completion through the eyes of a potential buyer, applying a lower completion percentage if that is the way a buyer would view it.
- The members of the inspection committee re-stated their belief that a reduction in completion percentage would be appropriate.
- Mr. Adler moved to reduce the appraised value by 6% to \$84,900 based on a reduction in completion percentage. Seconded by Mr. McLam and approved by voice vote.

Appellant: King, Joseph & Jamielee
Parcel ID: 0021-21-03.1
E911 Address: None – land only parcel located on Shoreline Drive

- The Board recalled that the Kings had considered hiring a private appraiser whose work would be submitted to the Board, but had decided against this when the NEMRC appraisal was altered per the testimony of James DeShone.
- Mr. Adler moved to reduce the appraised value to \$105,600 to correct a calculation error as reported by James DeShone of NEMRC. Seconded by Mr. McLam and approved by voice vote.

Appellant: Timson, Bernard & Susan
Parcel ID #: 0021-21-66
E911 Address: 2677 Roy Mountain Road

- The Board recalled that Mr. Timson’s testimony had made reference to his 2019 appeal. The inspection committee indicated that little had changed with regard to the property since 2019, except: 1) the black color of the water supply as noted in their report, 2) slightly higher water level, and 3) view of lake slightly reduced due to tree growth.
- The Board discussed whether the lack of potable water should completely eliminate the value of the parcel’s water supply or only partially reduce it.
- Ms. Ford moved to reduce the appraised value to \$44,900 due to the lack of potable water on the property. Seconded by Mr. Gates and approved by voice vote (Mr. Graves abstaining).

Appellant: VTRE Investments, LLC
Parcel ID #: 0021-21-01
E911 Address: 279 Shoreline Drive

- Mr. Adler noted that the Board could consider this appeal withdrawn because the appellant did not appear for the inspection. Given the fact that the appellant is not contesting the revised value presented by NEMRC, Mr. Adler did not recommend this course of action.

- Ms. Ford indicated that she had recently viewed the interior of the property outside of any official Board capacity, and found the interior to be finished and in excellent condition.
- Mr. Adler moved to reduce the appraised value to \$579,900 to correct a calculation error as reported by James DeShone of NEMRC. Seconded by Mr. Gates and approved by voice vote.

2. Consideration of proposed challenge letters to certain voters

The Board reviewed a list of 74 voters to whom Town Clerk Benjamin Heisholt proposes to send challenge letters. Mr. Heisholt explained that the Town Clerk’s Office has received returned mail for each of these voters. The Board found that six of these voters could be confirmed to reside in Barnet.

- Mr. Gates moved to send challenge letters to those voters identified by Mr. Heisholt except for those the Board finds to currently reside in Barnet, a total of 68 voters. Seconded by Mr. Graves and approved by voice vote. The list of voters for whom challenge letters were approved follows:

Last Name	First Name
ABBOTTS	PHILIP
AULTMAN	JESSICA
BERUBE	MARILYN J
BERWICK	CASSIE
BOURBEAU	SHAWN
BROOKS	MICHAEL
BYFORD	DANIEL
CAHOON	LAURIE
CANTON	AMANDA
CHAPPLE	STEVE
CHUMBES	RENZO
CLEMENT	LESLIE
COLANGELO	KIM
CORWIN	ANDREW
CUSHING	DEBRA A
CUSHING	PETER J
DAVIS	MELISSA
DEKOEYER	MARK T
DUMAS	JANET
EVANS	HEATHER
FAHLBECK	JENNIFER
FOLETT-SUITOR	GAIL
FOURNIER	MARGARET
GERVAIS	SHERRI A
GREENWOOD	NIKAYLA
HAHR	ISAAC
HASELTON	STEVEN T
HAYES	CANDACE
HENDERSON	KATHERINE
HERNANDEZ	CARLOS
HOLLAND	ABBAY
HOOK	CARRIE
JEWETT	CAROL
JOHNSON	JESSI-LYNN
KNIGHTS	RACHEL
KREISZ	JAYE
LACROIX	ROBERT
LANSFORD	DONNA
LATCHIS	ELIZABETH
LOGAN	MARK
MACARTHUR	BENJAMIN
MCCOY	RODNEY
MERCHANT	CHRISTOPHER J
MITCHELL	KRISTINA
MITCHELL	ROBERT
MORRIS	TIMOTHY

OKEEFE	TIMOTHY
PAGE	DONALDA A
PERRINE	NICHOLAS
PERRINE	SANDRA
PHELPS	LYNDA
REIS	RAMONA
ROBINSON	CHRISTOPHER
ROYLE	MARK
SAPIEYEVSKI	MAREK
SCHINSLY	CHRYSTAL
SHEEHAN	JENNIFER
SOTO	ROBERT
STEADY	PATRICIA K
STETSON	NIOKA
STUART	LAURA A
SUITOR	JOHN
SYKIE	ANN M
TOWNSHEND	ARIANNE
WALTER	WESLY
WEBSTER	FELICIA
WILLMAN	KENNETH S
YOUNG	SCOTT

3. Other business

No other business was discussed

4. Adjournment

Mr. Gates moved to adjourn the meeting. Seconded by Ms. Jensen and approved by voice vote.

Meeting adjourned at 6:49 p.m.

A true record.

Attest: _____
Town Clerk