Town Of Castleton

Board of Civil Authority Grievance Hearing Minutes

August 2, 2021

Members Present: Scott Lobdell, Debbie Rosmus, Joe Mark, Bonnie Hanley, Lilian Sheren, Gerry Ashton, MaryBeth Hadeka, Laura Sargent, Mike Holden, Jennifer Jones, Nedra Boutwell, Clerk, and Pat Diercksen (by phone)

Others present: MaryJo Teetor, Assessor

Nedra called Pat Diercksen and put her on speaker phone. Nedra called the meeting to order at 6:00pm and asked for nominations for a Chair. Debbie R nominated Scott Lobdell as chair and Joe Mark seconded the motion. No other nominations. Nedra asked for a vote of those in favor of nominating Scott Lobdell, all in favor. Motion Passed. Joe Mark nominated Pat as Vice- Chair, Pat declined. Debbie R nominated Gerry Ashton, Joe Mark seconded. No other nominations or discussions. Nedra called the question to elect Gerry as Vice-Chair, all in favor. Motion Passed.

Scott L took over the meeting and the next item on the agenda is to approve the minutes for October 27, 2020. Joe M made a motion to approve the minutes of the Board of Civil Authority for the October 27, 2020 meeting, Mike H seconded. All in favor, motion passed.

The BCA members took their Oaths. MaryJo Teeter took her Oath as Assessor.

**Michael Bethel 08-01-00023 571 Blissville Road**

Michael took his oath. Mike handed out a report from Zapata Courage, St of VT, and explained that this property has been in his family for almost two hundred years, and it is his responsibility to take care of it. He feels it is the most incredible piece of property in the whole world. Property is not large enough to qualify for any state programs. It has amazing characteristics and some rare species on it, including skunk cabbage and a 14” ironwood tree. It is excluded from everything, agricultural, forestry, can not build on it or get a permit to do anything with it, is under water. Has no value other than an ecological wonderland, is pristine and a paradise to me. Fair Market Value is most important, what will someone pay for it, what is its potential, what can you do with it? It is unique and surrounded by wetlands. Mike feels the property should be assessed at at least half of its value now.

MaryJo presented the property, it has 8.83 acres with a residence at 571 Blissville Road. The current value is $173,300. Building value is $114,500, Yard items are $1,000 and land is $57,800, House site with 2 acres is 47,100 and excess 6.83 acres is $10,700. There is a 25% discount on the excess acres for wetlands. A similar case went to PVR in 2020, property in Route 30 N, and the results went to the Town of Castleton. Communication from Zapata Courage in that case clarified that the wetland program assessment is not one of no value, but rather a communication of the permitting restrictions for potential development on a given property. The state only assesses wetland when a property owner requests it or when applying for a permit. Class II wetland is a common designation, class I is more restrictive. There are allowed uses that can be found on the DEC website. A tax map with neighboring wetland adjustments and property elevation map were included in the packet. Would the property sell for this price?

Three BCA members volunteered to do a site visit, Joe M, Mike H and Laura S. They set up a site visit for August 12 at 4:00pm. MaryJo asked to go along also. (Mike B called the Town Clerk’s office on Tuesday and asked that MaryJo not come to the property, an email was sent to the members going on the site visit.)

**Randell Ettori 10-01-00029 1189 Piontek Road**

Randell and Richard Ettori took their oaths.

MaryJo introduced the property as 10.2 acres of residential land with a new residence at approximately 80% complete as of April 1, 2021, on a class four road. House is high quality post and beam construction with a standing seam roof, 4 bedrooms, 1 full and 2 ¾ bathrooms, hw radiant heat, full basement/rhw heat and attached garage. The value in 2020 was $286,800 @ 40% complete. Site inspection was in late February, first floor near complete, bathrooms were being tiled, hardwood floors, kitchen cabinets are in, did not go upstairs or in basement, basement was assumed done, list shows 77% and MaryJo rounded up to 80% for the April 1 date. Percent of completion form was used and attached to our packet. Assessor grievance changed the assessment from $678,600 to $620,300, the bathrooms were corrected and sketch, also corrected the house site value on the card. The bank appraisal from 2018 was reviewed however it is outdated, they are usually good for 6 months. Recent sales for comparison are 36-50-13 and 05-02-29. Lister card has 3401 square feet of living space, total area is 6907, first floor and basement are 1961 sq ft, second floor is 1440 sq ft, and garage is 702.

Randell gave us a packet of information, to include a CAD drawing, the 2018 appraisal and sales comparable. His first concern is on the difference in square footage, his measurements are, first floor and basement are 1868, second floor is 1346 and garage is 676. He is getting his measurements from the construction plans, did not measure the building, some of the difference may be in the knee walls. His next concern is the total grade of the house. He is using the appraisal from 2018, with inflation he estimated $550,000 at completion. He is using comparables of 42-51-09 and 25-21-1.1, these are properties for sale, no lister cards, just sale information. Third concern is some of the finishes, the insulation is listed as extensive, it is R20, bathrooms and kitchen are listed as excellent. Randell feels the house is in the upper 90’s for completion as of today and would have been at 70% as of April 1. Only water in the house was a spigot in the basement on April 1, no siding was on. Land value is about what he expected, that is low on his priority right now.

Four BCA members volunteered to do a site visit, MaryBeth H, Debbie R, Bonnie H and Gerry A. MaryJo asked to join the site visit also. They set up a site visit for August 5th at 9:00am.

**OTHER BUSINESS 05-01-19.3**

Nedra explained she received a phone call on July 21 at 1:30 from April Clifford requesting a hearing, April then came in the office at 2:05pm and submitted a letter asking to grieve the property #05-01-19.3. Nedra explained the deadline was July 20th at the close of business however she also put in a call to VLCT to see what the options were. Carl Ander from VLTC called back and said it is past the deadline, however it could be brought to the BCA at a meeting to let them vote on it. Discussion followed, we had this happen in 2018 also and the board refused the request. Nedra read the letter the appellants received from MaryJo after the Assessor grievance, it explains the timeline and that the grievance goes to the Town Clerk/BCA. Laura S made a motion to refuse the request and stick to State Statues. Mike H seconded. Pat D stated she was recusing herself from the vote. Scott called the question. All in favor, Motion Passed.

**BCA review of the Voter Checklist**

Nedra explained the challenges the Secretary of States office is giving to all the Town Clerks to clean up the checklists statewide. The first challenge was to verify all voters’ driver’s licenses that are in the system, Castleton only has one that cannot be verified, and SOS is aware and checking with DMV. The second challenge was to fix any voters records that were missing a driver’s license number, Castleton is down to 14 voters on this list and of these only four are active, the rest have been challenged. The third challenge was to correct any voter record that did not have a date of birth, they show in the system as 01/01/1900. Castleton has 13 voters and only two of them are listed as active. Letters have also been mailed to people that need to take their voter oaths and letters were mailed to people who need to verify the last four digits of their social security numbers.

The checklist was reviewed and discussion of who to challenge followed. Bonnie H brought a list of graduates from Castleton University. Attached to these minutes is a list of the people to be challenged.

Deliberative session was set for August 24th at 6:00pm. Debbie R made a motion to adjourn until the deliberative session August 24, Bonnie H seconded. All in favor, Motion passed.

No other business. Debbie R made a motion to adjourn until the deliberation meeting on August 24, Bonnie H seconded. Scott called the motion, all in favor. Motion passed, meeting adjourned at 9:06pm.

Respectfully submitted, Approved:

Nedra Boutwell Date:

Town Clerk