

Town Of Castleton
Board of Civil Authority Grievance Hearing Minutes
Meeting help by Zoom
August 6, 2020

Members Present: Scott Lobdell, Debbie Rosmus, Pat Albin-Diercksen, Robert Grace, Mark Brown, Joe Mark, Bonnie Hanley, Lilian Sheren, Mike Bethel and Nedra Boutwell, Clerk

Others present: MaryJo Teetor, Assessor

Nedra called the meeting to order at 6:00pm and asked for nominations for a Chair. Joe Mark nominated Scott Lobdell as chair and Pat Albin-Diercksen seconded the motion. No other nominations. Nedra asked for a vote of those in favor of nominating Scott Lobdell, all in favor. Joe Mark nominated Pat as Vice- Chair, Debbie Rosmus seconded. No other nominations or discussions. Nedra called the question to elect Pat as Vice-Chair, all in favor.

Scott read the remote public meeting script provided by the Vermont League of Cities and Towns. A roll call was taken at this time.

The meeting minutes for September 23, 2019 Motion to approve by Robert Grace, seconded by Mark Brown. All in favor, motion passed. Nedra mentioned that this meeting is being recorded.

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

Robert J Ettori 44-50-00059.1 1939 Main Street

Robert took his oath. Scott asked if any members had a conflict or ex-parte for this property, no one did. MaryJo explained that this is a condominium with a funeral home, living area, apartment and 15% of unused space. MaryJo sent out a memo today amending her assessment. Part of the issue has been the land value on the property, the land value was taken off the lister card years ago and MaryJo was concerned that the land was not valued. After researching how condominiums are valued in the land they sit on, I am amending my assessment. The common ownership cannot be sold individually and developed, so the land value is embedded in the value of each condominium structure and a separate parcel value is not necessary. Vermont created statutes for condominiums, when you create a condominium association you create an undivided interest in the common areas, to include the land and shared amenities. In the condominium agreement it should spell out what percentage of ownership each condominium has. The association should have a board and voting in the association is based on the percent of ownership. The value of \$300,700 I am recommending be adjusted to \$236,100, to show the land being removed.

Mr Ettori stated he received the amended assessments from MaryJo today by email. He would like the common areas, 733 sq. ft., removed from the lister cards and the shed should be removed. There are plans of the building from 1978 & 1987 on file in the office. Still a couple things MaryJo needs to be aware of. Mr. Ettori stated he did accept the valuation of \$236,100.

Joe M. made a motion to accept the \$236.100 valuation. Debbie R second. Discussion followed whether we need a set up a committee for deliberative session, it was decided we did not need a committee. Motion was called. All in favor. Motion passed

Robert J Ettori **44-50-00059.2** **1939 Main Street**

Robert is still under oath. Mary Jo explained this parcel is on the south side of the building and encompasses the whole length of the building and is two units. They are both two bedrooms. There were minor errors on the lister card that have been corrected. The value at lister grievance was \$135,800 and MaryJo is amending that to \$113,800 to show the land being removed.

Mr. Ettori asked to make a correction on the land value, a \$38,600 increase. I accept your new valuation of \$113,800.

Joe M. made a motion to accept the new value of \$113,800, Debbie R seconded. No discussion. All in favor. Motion passed.

Robert J Ettori **44-50-00059.3** **1939 Main Street**

Robert is still under oath. Mary Jo explained this condo is on the east side of the building, two apartments just south of the storage shed.

Mr. Ettori interjected that he will accept the amended valuation that MaryJo sent out of \$104,800. He did ask that sometime in the next year the two of them sit down and go over the few minor errors he would like corrected.

Pat made a motion to accept the amended valuation of \$104,800, Joe M seconded. No discussion. All in favor. Motion passed.

Robert J Ettori **44-50-00059.4** **1939 Main Street**

Robert is still under oath. Joe M asked if this is a similar case. Mr. Ettori stated yes, and he is satisfied with the amended assessment of \$67,700. He is concerned about the listing of three baths, however the lister card shows one bath at $\frac{3}{4}$.

Pat A. made a motion to accept setting the value of parcel four at \$67,700, Joe M seconded. All in favor. Motion passed.

Mr. Ettori stated he purchased the building after it was offered to the Town for purchase. The whole building has been gutted and everything is new in the last fifteen years, so I have no problem with the increase in assessments. I am content with my investment and the apartments rent very well. And thank you for your time.

Rosemary Rogers and Bernard Poremski **39-50-000027**

Rosemary took her oath. MaryJo explained this is an 8.1 acre parcel on the corner of Route 30 and Pine Cliff Rd. Rosemary had an environmental engineer look at the property and most of it was deemed as class two wetlands, MaryJo never received the report from this agency. MaryJo looked at property and it is wet and there is about half an acre that is not wetland and possibly a buildable lot. MaryJo is not aware of any permits on the site. MaryJo valued the property based on Rosemary's word and her site visit at a reduction of \$20,700. The value went from \$46,900 to \$26,200.

Rosemary stated this site has been visited twice in the last ten months, by Same Sun Company to check for solar and Zapata Courage a field representative from the Agency of Natural resources. Both

examined the property in the fall of 2019, both found it to be very wet. Rosemary read the email from Zapata explaining it is highly unlikely that a wetland permit could be approved for any development or conversion for agriculture of this lot. MaryJo asked about a redeemable value for wildlife, drainage, or a buffer. Rosemary asked about donating or gifting the land to the town or the state. Scott explained that is not the BCA's decision, that would have to go through the Select Board. MaryJo was asked what the assessment of undevelopable land would be, she stated it would be reduced about 80 to 95% of the land value, low, maybe around \$5,000.

Three BCA members volunteered to do a site visit, Bob G, Mike B, and Lilian S. They set up a site visit for August 7th at 8:00am.

Ross Powers

31-50-00042

Vacant Lot

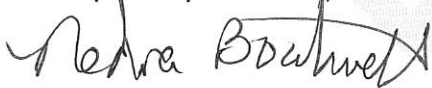
Ross took his oath. Scott asked if anyone had a conflict or ex-parte for this property, no one did. MaryJo explained this property is located off Spooner Point, Known as Mystery Point, 1.18 acres. It encompasses both sides of the Mystery Point Road, it is three lots on the west side and three lake side access lots, that are 15 feet wide apiece. It is somewhat steep on the lake side. There is a right of way so you can drive all the way to the back of the lot. There is power and a driveway, but it is not developed yet. Mr. Powers bought the property for \$40,000 in 2019, it was assessed for \$233,100. There is potential for development, it has three dock spaces. MaryJo gave us a map of the parcels in the area with their values attached. MaryJo is valuing the parcel at \$171,500.

Mr. Powers stated he purchased the property for \$40,000 and has put about \$9,000 into the property. The property above mine is very similar with a value of \$40,000. Questioning what the value of the land and the lake front value is, feel mine is valued higher than the neighbors. I feel it is valued at \$49,000. The neighbors above have been trying to sell for a year and still have not sold. I am told it is not developable, will not perk, it is an expensive parking space. MaryJo explained his property is together as they are contiguous, the Schweizer property is not. We have not seen any engineering reports that the lot is not developable. Mr. Powers spoke of sales however did not have any examples for us. MaryJo asked to be present at the site visit, Mr. Powers is Ok with MaryJo joining the site visit.

Three BCA members volunteered to do a site visit, Bonnie H, Mark B and Scott L. They set up a site visit for August 10th at 1:00pm.

Deliberative session was set for August 20th at 6:00pm by Zoom. Joe M made a motion to recess until the deliberative session August 20, Pat seconded. All in favor, Motion passed.

Respectfully submitted,



Nedra Boutwell
Town Clerk

Approved:

Date: