

Town Of Castleton  
Board of Civil Authority Meeting and Grievance Hearing Minutes  
August 5, 2019

Members Present: Scott Lobdell, Debbie Rosmus, MaryBeth Hadeka, Frank Giannini, Pat Albin-Diercksen, Gerard Ashton, Mike Bethel, Robert Grace, Joe Mark, Dick Combs, Jim Leamy, Mark Brown, Zack Holzworth and Nedra Boutwell, Clerk. Mary Jo Teetor present as Assessor.

Scott L, called the meeting to order at 6:00pm. Scott had the Board take their oath to start the meeting.

First on the agenda is the election of officers, Scott asked for nominations. Zack H nominated Scott L as Chair, Mike B seconded. Frank G nominated Bob G, Bob G declined the nomination. Scott called the question two more times with no other nominations, Dick C made a motion to close the nominations and have the secretary cast a single ballot for Scott L to be elected Chair. Debbie R seconded. All in favor, Motion Passed. Scott then asked for nominations for Vice-Chair. Zack H nominated Dick C, Dick declined the nomination. Dick C nominated Bob G, Mark B seconded. Scott called the question two more times with no other nominations, Zack made a motion to close the nominations, Pat A seconded. Scott called the question to have the secretary cast a single ballot for Bob G to be elected Vice-Chair. All in Favor, Motion Passed.

**Jaap Simons                      45-50-00037                      822 Main Street**

Jaap took his oath. Mary Jo Teetor, Castleton Assessor took her oath. Jaap explained that he replaced his garage with the same measurements. In June of 2011 he bought the property with a dysfunctional garage. In 2018 they got a permit to replace the garage, they built with a lot of the same materials as the original garage, and the only difference is the roof is slanted the opposite way. There was a 170 ½ % increase in the price. It was \$3,400 and went up \$5,800 to \$9,200, we protest this increase as out of proportion. The assessor did view the outside of the garage in 2019. There was no evidence/handouts from Mr. Simons.

Mary Jo gave the board a handout. In 2018 the property was assessed at \$225,800 and in 2019 is \$231,600. The garage is the same dimension as the old garage, it now has a cement slab not a dirt floor. The original garage was listed as an 1890 and valued at \$3,400. The new garage is assessed at \$9,200, for an increase of \$5,800. This was the sole reason for the increase in the assessment, the house was not viewed. The garage cost is assessed at \$20.15 a square foot. Mary Jo also gave us a handout that listed garages in town with the year built, quality and the square foot price for comparison.

Mr. Simons was asked how much the garage cost to build and he choose not to divulge that information. The garage is not finished inside, there is no insulation or electrical. Asked what the life span of a building like this was, Mary Jo stated about 40 years, with a concrete floor instead of dirt.

Three BCA members volunteered to do a site visit. Gerry, Mark and Mike up a site visit for August 12<sup>th</sup> at 2:00pm. Jaap stated this day and time is good for him. Nedra explained that the inspection committee is required to view all of the buildings, house, garage, etc., the whole property or the grievance is deemed withdrawn per Vermont statute, 32 V.S.A 4404(c). Mary Jo asked to visit the property also, Mr. Simons was asked for his permission to allow Mary Jo and he granted her permission to visit with the inspection committee.

**Phillip & Stacey Smith**

**40-50-00006**

**1647 Creek Road**

Phillip and Stacey took their oaths. Nedra explained that the board/assessor took their oaths when the meeting started. Jim L recused himself as he has dealt with septic issues for the property. Phil gave us a handout and stated they bought the property for \$35,000 because there was no way to have a septic system, the second page of the handout is a letter from the engineer from July 2017 stating no septic is possible under Vermont rules. We have put approximately another \$25,000 into the property. It was assessed at \$218,500 and after we built it went to \$234,500. At the Assessor grievance it went down to \$204,700. This seems excessive as we do not have a bathroom, kitchen sink or anything to make it a camp. We have a comparable property, the property next door, it sold last year for \$160,000. The significant difference is a drilled well, septic, kitchen sink, bathrooms, driveway and a place to park with 5.31 acres. They also have some flat usable land and our land is steep. We added up on the existing garage. We are lot 6 and 7 on the hand out, lot 7 is on the lake. Lot 6 is across the road.

Mary Beth asked what they feel the best use of the property is. Phillip stated they live nearby so they go hang out for the day, they could spend the night however no running water, sinks or showers, and they do have an incinerator toilet. We have water from the Point of Pines Water system that we are not allowed to have in the building so we have an outside faucet, the water is seasonal and out of the lake. The water faucet is at the door of the camp. Mary Jo stated the property originally had a camp that burned in 2013, it would have had to have been rebuilt within the States' timeframe for the existing septic to be used. Now the State would have to issue a permit for the septic and the lot does not qualify, the state will also not allow a holding tank anymore. A permit was issued in July 2018 to put a second floor on the garage, The permit states a total height 30' or less, (open) deck 10' x 30' with a proposed use of Dock and family hangout. When asked, Phillip stated they knew it was a long shot to get septic on the land. This is a Primitive camp with time limitations, can be used for no more than three consecutive weeks per year and no more than a total of 60 days a year. The camp does have power. Since the assessor visited it is now 100 complete. We do not have a problem with the camp value, it is the land we have a problem with.

Mary Jo handed out her packet with a lister card, photos, tax map location, a copy of the Permit application and Permit. The parcel was assessed at \$218,500 before the construction, \$234,500 on the Abstract GL and \$204,700 after the Assessor grievance at 70% complete. The Structure is two stories above the garage, the Permit is for one story. Garage is right on the road. The camp is assessed at 33,700 at 70% complete with a deck on each side. There is 245' of Lake Frontage, with a beautiful unobstructed view however similar to many camps on the lake they are on a ledge. There are steps and an extensive dock area on the lake. It was purchased as a bank foreclosure. The land was given depreciation of 15% for topo, 25% depreciation for no septic/water and 10% for use. There lakefront is rated as less than average and received a discount for traffic. As for the Comparable, it is valued at \$267,000 and was sold for \$160,000 as an estate sale. It has a 3.9 acre parcel that is excess back land, 262' of Lake Frontage and the camp is valued at \$42,600. If you look at the Site Acre valued at \$150,500 and the lake frontage valued at \$61,500, the two properties are comparable. The engineers report was written in July 2017 and the property was purchased in September of 2017, so they were aware of the limitations of the property.

The Smiths were asked what they feel would be an appropriate cost, Phillip stated they had about \$70,000 invested in it and feel it is worth under \$100,000. Phillip and Stacey gave permission for Mary Jo to go on the site visit with the BCA.

Three BCA members volunteered to do a site visit. MaryBeth, Dick and Mark set a site visit for August 15, at 8:00am. Phillip and Stacey stated this day and time is good for them also.

Nedra let everyone know we need to work on purging the voter rolls and handed out voter lists for people to look over and bring back their thoughts and questions. We will set a date in the future for the BCA to meet and go over Voters.

The timeline was discussed for the site visits and deliberations. August 26<sup>th</sup> at 6:00pm was set up as our deliberation meeting.

Zack H made a motion to adjourn, Dick Seconded. All in favor, Motion Passed. Meeting adjourned at 7:25

Respectfully submitted,

Approved:

Nedra Boutwell  
Town Clerk

Date:

Addendum: Mr. Simons sent in a letter Tuesday August 6, 2019 stating he wished to cancel the attendance of Mary Jo Teetor, Assessor, at the inspection of 822 Main Street on Monday August 12, 2019 at 2:00pm. Mary Jo and the inspection committee have been notified of this change.