

TOWN OF CASTLETON
BOARD OF CIVIL AUTHORITY MEETING - HEARINGS
November 12, 2015 at 6:00pm

MEMBERS PRESENT: Debbie Rosmus, Chair; Nedra Boutwell, Clerk; Gerard Ashton, Pat Albin-Diercksen, Lilian Sheren, Nancy Mark, Robert Grace, Scott Lobdell.

Also in attendance: Lois Witt and Sharon Ryan, Listers

Chair Debbie Rosmus called the meeting to order at 6:00pm. Oaths were taken by the first appellants, Elizabeth Keirstead Johnson and Susan Keirstead Snitker, and the listers.

Camp Keirstead LLC #39-51-00015 193 Hart Towers Road

Lister described the property as contains .21 acre of land classified as Residential 1. The property has a camp styled building on piers, built about 1950. The exterior of the building has wood siding and an asphalt roof. The interior of the building has a first floor which includes 5 rooms. The property has lake rights, an open porch, storage and a shed. The property is Grade D+, Fair (+). Listers state the property owner did not attend the preliminary NEMC hearing, they did grieve on July 16th with the listers the land value - other properties on our road with almost double the land size and a view of the lake are assessed at a similar land value, properties in close proximity with rights similar to ours with land values much less than assessed to us, Neshobe B beach has approximately 107 lot holders that have beach rights if all lot holders are assessed the \$60,000 lake rights site value does that make the value of the beach over a million dollars?

Elizabeth stated they are not grieving the camp, they are grieving the land. The camp is halfway up the neshobe canal with no visual of the lake. They are using 39-51-08, 39-51-09, 39-51-10, 39-51-12, 39-51-14, 39-51-27, 39-51-29, 39-51-31, 39-51-28, and 39-50-48 for comps. This is a narrow lot, on a private drive on the canal, land slopes to canal, boat dock is falling apart, within walking distance of the beach. Also supplied an appraisal by Sargeant Appraisal Service dated 2-13-2013. We have done a lot of research in regards to the 107 lots that have rights to B Beach.

Listers gave a certification detail by location for Hart Towers Road as \$201,960. They used sales of 33-50-21, 33-50-31 and 20-20-05. Comps for the land used are 39-51-21, 39-51-25 and 42-51-25, comps for the building are 22-20-47, 06-01-50 and 36-50-17. Listers conclude the assessed value of \$153,000 is fair and equitable in comparison to the above comparables.

BCA chose three members, Gerard, Pat and Nancy, to inspect the property on November 13th, 2015 at 4:00pm.

FWMHP LLC #05-03-00040 99 Cramton Road

Brian Billings and John Canney, Attorney, took their oaths.

Listers described the property as contains 11.3 acres of land classified as Commercial (Mobile Home Park with 46 units). This property also has a multi-conventional building built about 1900

on a crawl space. The exterior of the building has board and batten siding and a metal roof. The interior of the building has a first floor to include 6 rooms. The property also has an open porch, two sheds and 46 mobile hook-ups. The property is Grade C -, Average (-). Listers heard their grievance on 7-20-15, - they believe the assessed value is too high in relation to market value, the previous assessed value of \$260,000 is closer, did not provide any evidence. Listers did make a change to yard items of \$23,000 bringing the assessed value to \$437,900.

John explained the yard items are the 46 mobile home hook-ups at \$4,000 each. The land is assessed at \$55,000 per acre for the first three acres, the remaining land is at \$3,000 an acre, which is empty land, and then the \$4,000 per hook-up is added to this. \$55,000 is way too high for commercial property. This hook-up fee is the same amount that is charged to the Windy Hollow Park and they have double wides, where we only have single wides. We buildings are rentals, we are OK with their assessment. We are using a comparable of Windy Hollow. No services are provided by the town for road, sewer, water or lights. Brian explained he is only allowed to increase his rents by 2.9% for tenants a year and he cannot keep up. No handouts were given.

Listers explained they asked for income and expense information from Mr. Billings to try to use an income approach however no information was provided. He is in a Commercial Fair neighborhood, the same as the other Park. The hook-ups are the same for a double wide and a single wide. Also pointed out the property was bought in 2008 for one million dollars. Listers used a comp of 08-02-03 and gave a certification detail by location. Both parks have the same \$55,000 for the first acre and \$3,000 for the excess acreage. This property has an adjustment of -50 on the 8.3 acres for wetness. The listers conclude the assessed value of \$437,900 is fair and equitable in comparison to the other mobile home park.

BCA chose three members, Debbie, Scott and Lilian, to inspect the property on November 16th, 2015 at 3:00pm.

John Rehlen #22-20-00033 664 Avalon Beach Rd

John took his oath. Nancy and Lilian recused themselves.

Listers described the property as contains 1.0 acre of land classified as residential 1. The property has an old style building on piers, built about 1906. The exterior of the building has wood shingled siding and an asphalt shingled roof. The interior of the building includes a first and second floor to include 3 rooms. The property also has water frontage, a screened porch, an open porch, a 9 x 18 cabin and 2 wood decks. The property is Grade C – Average. No changes were made at the listers grievance.

John is using comparables of 22-20-44 at \$363,900 for the land value and 22-20-56 at \$398,300 for the land value, ours is \$398,600. My property has 165' of lake frontage, the property 22-20-56 has 460' of lake frontage and 22-20-44 has 375' of lake frontage. The three properties camps are comparable, we have lake water and the other two have wells. The real issue is with the land. A map showing the properties and the lake frontage was given as well as lister cards for the comps.

Listers provided a certification detail by location with an average of \$317,642. Sales used are 40-50-02 and 33-50-25. Comparables for land are 22-20-28, 32-50-42, and 31-50-20 and comps for the building are 40-50-14 and 43-50-45. Listers conclude the assessed value of \$440,500 is fair and equitable in comparison to above comparisons.

BCA chose three members, Robert, Debbie and Scott, to inspect the property on November 16th, 2015 at 9:00am.

John Rehlen #05-02-00034 483 Frisbie Hill

John is still under oath. Nancy and Lilian are still recused.

Listers described the property as contains 1.15 acres of land classified as Residential 1. The property has a colonial building on a masonry foundation/basement, built about 1800. The exterior of the building has clapboard siding and a slate roof. The interior of the building has a first floor, second floor and half story to include 8 rooms. The property also has storage, a shed and a two story barn. The building includes an apartment. The property is Grade B, Good (+). John did not attend the preliminary NEMC hearing, however NEMC did make an adjustment to the building of \$34,000. Listers heard his grievance – using comps of 05-03-02, 05-02-24 and 45-50-10 and did not make any adjustments at their grievance.

John stated this property is in an economically challenged area. He is using comps of 05-02-24, 05-03-02 and 45-50-10. This is an old shaped lot, has no kitchen, the construction is not as good, and for the view there is a trailer across the road.

Lister explained the adjustment from NEMC was in the depreciation. They used sales comps of 42-51-09 and 43-51-16.3. Comparables for land are 05-03-12, 43-50-03.6, 25-20-47 and 25-20-30 and comps for the building are 37-50-02.2, 42-51-09 and 22-20-21. Listers conclude the assessed value of \$279,700 is fair and equitable in comparison to the above comparables.

BCA chose three members, Robert, Debbie and Scott, to inspect the property on November 16th, 2015 at 10:00am

Joseph P Kent #42-50-26 209 Creek Road

Joseph and Eugene Rakow PC took their oaths.

Listers described the property as contains .713 acre of land classified as residential 1. The property has an old style building on a slate foundation, built about 1850. The exterior of the building is aluminum siding and a slate covered roof. The interior of the building has a first floor and a ¾ story to include 6 rooms. The property has water frontage, a basement, an enclosed porch, attached shed, an open porch and 2 garages. The property is grade C, Average. The appellant did not attend the preliminary NEMC hearing however NEMC did adjust the building value by \$19,000. Listers did not make any changes at their grievance, they received a summary page of an appraisal as evidence.

Mr. Rakow passed out an appraisal done by Sargeant Appraisal Service on 09/11/2014. The building is listed as fair to average, the condition should be poor, if purchased this would be a

tear down. There is a 10' strip on the channel, not lakefront, with 4 docks, when town raised the road the boat launch/cement slab is falling into the lake. If the house didn't exist, only a commercial building was there, would the land be worth \$188,200? Woodard Marina is to the north, the house to the south is in poor condition. Pictures were passed around to show the condition of the house. Comps used are 2870 Rt 30N and two from Lake St Catherine in the appraisal, no listers cards included. Shop value is OK.

Listers stated the comp of 2870 Rt 30N is not the same house type as the appellants and we object to the comps from Lake St Catherine. The depreciation is already at Fair-Average. The land value is reduced by the neighborhood factor of Lake Fair and has a lower lake influence also. Listers provided a certification detail by location to show Creek Road at \$252,040. Sales used are 40-50-02 and 41-50-24. Comparables for the land are 42-50-27 and 41-50-16 and for the building are 08-01-42.2, 25-21-56 and 43-50-45. Listers concluded the new assessed value of \$275,500 is fair and equitable.

BCA chose three members, Scott, Debbie and Robert, to inspect the property on November 16th, 2015 at 11:00am.

James Wright #44-50-00059.2 1939 Main Street

James Wright and Robert Etori took their oaths. Gerard recused himself.

Listers described the property as classified as commercial with a condo office on a slab, built about 1969, having primarily brick veneer siding and a membrane roof cover. The property is Grade C-, Average (-). The listers made a change of \$54,700 at their grievance on 07/08/2015, an error in square footage was corrected.

Jim stated this is a condo. Robert reminded the board to look at it as a condo, it is owned ½ way through the walls. The appraisal was given to the listers and they were asked to go visit. Per the appraisal the best use was to renovate, was an old dentist office. We demolished the office, no new plumbing or electrical was put in. One half is now an apartment, we added a kitchen, and the other half is gutted/empty, 1100' each. When it was the unused dental office there where 10 sinks, they are gone now. It was demoed after April 1, 2015, sinks were removed July 8th 2015. It is listed now as a use code 41 – commercial, it should be 17 for residential. The type is 63 – condo-office, this should be changed also to condo-apartment. Robert left the appraisal with us and lister cards for 44-50-59.1, 44-50-59.3 and 44-50-59.4. As of April first this was an empty dentist office.

Listers explained they told Mr Wright they would do a site visit in the fall to change the building type from condo-office to condo-apartment, they were advised that the other fixtures (10 sinks) were removed 07/08/15, after the appraisal was done. Please remember the demolition and remodeling was done after April 1. Listers included a lister card for a working dentist office for comparison / information. Listers did adjust the square footage and took into account that this was not a working office. The listers conclude that the assessed value of \$117,800 is fair and equitable.

BCA chose three members, Debbie, Lilian and Bob, to inspect the property on November 10th, 2015 at 1:00pm.

John K Schramm	#22-20-00025	37 Broadview
	#22-20-00026	39 Broadview
	#22-20-00024	832 Avalon Beach Rd LLC

John took his oath.

We tried to keep these three separate however the appellant ran them together.

Lister described the property, 22-20-25, as containing a .3 acre of land classified as residential 1. The property has a conventional building on a concrete foundation, built about 1920. The exterior of the building is clapboard siding and an asphalt shingled roof. The interior of the building has a first and second floor to include 4 rooms. The property also has a half basement, wood deck, garage and two sheds. The property has 50' water frontage. The property is grade C+, average (+). Owner did not attend the NEMC preliminary hearing, He did attend the listers grievance on 7-22-15 and listers made a change to the topo of -5% and changed the basement from 851 to 414 square feet. These adjustments changed the assessed value from \$423,100 to \$404,800.

John showed us where all three properties where on a map in relation to the lake. The topography is the same. One driveway services the three properties on Broadview, two of which I own and one is owned by Thomas's, #22-20-27. It's my understanding that anything under two acres is all the same value in property, as your homestead, after two acres land is valued differently. John gave us a handout with 15 parcels, their acreage, land value, and notes. Why are the land values different for each of them? 22-20-28, Silver, has .96 acres and a land value of \$380,700, that makes the per acre land value \$396,000. Mine is \$885,000 an acre. Parcels less than an acre should be valued incrementally less as they are more encumbered allowing less development and are therefore less valuable. My property is at the highest level, the shallower it is the less the land is worth. Mr. Schramm suggested that there was a change in his value when he built a home in Poultney. Parcel 22-20-25 is the same lot as Thomas. Using comps of 22-20-17 and 22-20-28. All of the properties are accessed by the same private road, are consecutively listed, differ primarily by width of lot, largely similar in length. Requesting a land value for all three parcels be similar to that of Silver, Anelli and Bove, the average of these three is \$380,610 an acre. I am not debating the building values at this time.

Listers explained most properties on the lake have steepness. Listers used sales of 23-20-67 and 34-50-48. Comparables for the land are 22-20-26, 34-50-02, 34-50-25 and 34-50-41 and for the buildings are 37-50-19.1 and 33-50-44. Listers concluded the new assessed value of \$404,800 is fair and equitable in comparison to the above comparables.

Listers then described **parcel 22-20-26** as contains .29 acres of land classified as residential 1. The property has a camp styled building on concrete blocks, built about 1900. The exterior of the building is clapboard siding and an asphalt shingled roof. The interior of the building has a first floor to include 5 rooms. The property also has a basement, screened porch, wood deck and 50' water frontage. Property is grade C, average. Listers made an adjustment for an easement from -5 to -10% and adjusted physical depreciation from 47% to 50%, changing the value from 290,700 to \$276,200. Sales used are 38-50-15 and 33-50-21. Comps for the land are 22-21-13,

22-20-24 and 22-20-18. Comps for the building are 06-01-19, 33-52-34, 39-50-17 and 23-20-02. Sharon mentioned the lister cards for both of these properties and the Thomas card show the site acre at \$50,000 and then they are charged for their water frontage at a rate of \$250 per unit. Listers conclude the assessed value of \$276,200 is fair and equitable.

Listers also described **parcel 22-20-24** as contains .3 acre of land classified as Vacation 1. The property has a camp styled building on piers, built about 1953. The exterior of the building is board and batten siding and a rolled roof cover. The interior of the building has a first floor to include 4 rooms. The property also has a screened porch, two wood decks and a cabin. The property has 50' water frontage. The property is grade c, average. Listers did not make any changes at the grievance. Listers provided a certification detail by location for Avalon Beach Road as \$317,642. The sale used is 20-20-05, comps for land are 22-20-20, 22-20-04 and 01-01-23. Listers conclude the assessed value of \$292,400 is fair and equitable.

BCA chose three members, Gerard, Scott and Lilian, to inspect the property on November 17th, 2015 at 8:00am.

Debbie moved that the meeting be recessed until the BCA reconvenes to hear the inspection reports and deliberate. Scott made a motion to recess the meeting, Nancy seconded. All in favor, Motion passed. Meeting recessed at 9:30pm.

Respectfully submitted,

Nedra Boutwell
Town Clerk

Approved: _____