

TOWN OF CASTLETON  
BOARD OF CIVIL AUTHORITY MEETING - HEARINGS  
November 18, 2015 at 6:00pm

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

Also in attendance: Lois Witt, Jan Wilson, and Sharon Ryan, Listers

Chair Debbie Rosmus called the meeting to order at 7:02pm. We held opening the meeting as the first appellant withdrew. When the second appellant showed up we started the meeting. Oaths were taken by the listers and the first appellants, Liz Bird and Zollie Horvath.

**Bird Family Trust                      #20-20-00034.2                      177 Float Bridge Road**

Lister described the property as contains 13.1 acres of land classified as Residential 2. The property has a contemporary building on a concrete foundation with a basement, built about 2007. The exterior of the building has clapboard siding and an asphalt shingled roof. The interior of the building has a first floor, second floor, and  $\frac{3}{4}$  story to include 9 rooms. The property has 2,460 feet of water frontage with granite retaining wall. The property also has a wood deck, screened porch, an open porch, cabin, patio, shed and a 2 car garage. The property is Grade A-, Very good (-). The property owner did not attend the preliminary NEMC hearing in May. Listers heard the property owner's grievance on July 24, 2015 (We feel this increase is not justified, and in unsubstantiated for the surrounding property; values. Further, there was no physical inspection of our house. We feel that the change in Shoreline regulation has devalued our waterfront property because of its narrow topographical orientation). The owner provided Change in Appraisal of Real Estate/Homestead form dated 6/19/15 as evidence. Listers did not make any changes to the assessed value of the property.

Introductions were made by the board. Liz stated they purchased the property in 2006 and built in 2007. We have not made any improvements or changes to the building to change the value. The value of the land has not been doing very well the past few years. I don't feel this increase is justifiable for our house. I didn't challenge the last increase in the house value and maybe I should have, now that it has made another jump I feel I need to address it. I had a survey done by Sean Sargeant and it came in at \$1,750,000. I also included information on Neshobe Island and Rabbit Island along with three of the neighbors for comps. Also we are listed as having 5 bedrooms and it is only a three bedroom house. The house was finished in 2007. Zollie mentioned this is a long narrow strip of land with rocky portions and very wet in spots. Also mentioned the listers sale from 2013 as not very current and values/sales were better then.

Listers object to the comps in the appraisal from Wells and also note the papers submitted by the appellant are not lister cards, they are printed from the website and not accurate with this year's information. Listers also stated they would correct the bedrooms to three, they know this is an error. Explained the access for Neshobe Island is limited as it is by boat, and Rabbit Island is also limited access. Also this property was purchased in 2006 with a cottage on it for \$895,000, the cottage was torn down and this new house built. Listers gave a sales comp of 31-50-17. They used comparable for the land of 32-50-37 and comps for the building are 22-20-34 and 38-

50-01. Listers note – the subject’s home has many upgraded features, primary interior wall is solid wood compared to drywall, partition is above average compared to typical, secondary floors are above average, electrical is extensive compared to typical, whole house has radiant heat, bathroom features are: one full bath-excellent, 4 three quarter baths-good, other features-good. Listers conclude the assessed value of \$1,902,600 is fair and equitable.

BCA chose three members, Scott, Gerard and Debbie, to inspect the property on November 20th, 2015 at 9:00am. Zollie’s father, Zollie, will meet the inspection committee to view the property.

**Brad & Liz Bird                    #20-20-00011.1                    Float Bridge Road, Vacant Lot**

Liz and Zollie are still under oath.

Listers described the property as contains 9.31 acres of land classified a miscellaneous land. The property owner did not attend the preliminary NEMC hearing in May. Listers reviewed the property owner’s grievance (We do not feel that an increase in assessment for this vacant parcel is accurate or justified by the surrounding property values for vacant land). The owner provided Change in Appraisal of Real Estate/Homestead form date 6/19/15 as evidence. Listers did not make any changes to the assessed value of the property.

Liz explained that this is a meadow that had been subdivided by the previous owner. We purchased it as we did not want to see it developed, to protect the lake, and also to add to our property for a septic backup. Land values have not been strong, have devalued in the last few years, and the increase is a really high assessment. We would like it brought in line with current values. There is an easement across the parcel, a telephone pole on the property, the harvester has permission to park on our waterfront, not a buildable lot. Clifford’s got a variance to build right next to the property line. Campbell road is a right of way through this property. There has been a survey done however it was not given as evidence, no handouts other than the unofficial property report card printed off the website.

Listers gave a certification detail by location and used a sale of #20-20-11.1. This is a buildable parcel and has 110 feet of waterfront. Appellant purchased this property on 02/05/2009 for \$275,000, it was assessed at \$217,900 at that time. Lister concluded the assessed value of \$257,500 is fair and equitable.

BCA chose three members, Scott, Gerard and Debbie, to inspect the property on November 20<sup>th</sup>, 2015 at 10:00am.

**Ted & Michelle Shipley   #24-21-00010.2                    Devery Lane**

Ted and Michelle took their oath.

Listers described the property as contains .65 acre of land classified as Residential 1. The property has a ranch building on a concrete foundation with basement, built about 2008. The exterior of the building has vinyl siding and an asphalt shingled roof. The interior of the building has a first floor to include 5 rooms. The property also has a wood deck. The property is Grade C, Average. The property owner did not attend the preliminary NEMC hearing in May. Listers reviewed the property owner’s grievance (House built with low standard construction such as

doors, trim, lights, and appliances. Our property is next to a railroad track and a noisy auto salvage business, which during the fall and winter months is unsightly. Our property is also next to a makeshift farm that is home to 27 goats, pigs, chickens, rabbits, ponies, and dogs. At times the smell of feces makes it uncomfortable to be outside in our yard. These are just to name a few, for these reasons our house value is no more than \$130,000). The owner did not provide any evidence. Listers did not make any changes to the property.

Ted explained the property was purchased in 2008; the construction is low end, doors, trim, lighting, etc. Feel we overpaid for it new. Assessment went up \$20,000, questioning why it went up so much. When we purchased this we were told there would be only stick built homes allowed and there is now a double wide on the road. Road is private and not up to standard, we maintain and plow. We also have to pay our portion for the electric sewer pump that services our neighborhood. The "farm" next door has multiple animals, dogs, goats, ponies, ducks, the smell of feces is very strong. We are also next to the railroad tracks and salvage yard is across the way, sometimes noisy, able to see in the fall and winter. No evidence was given.

Listers provided sales of 24-21-10.5, 25-20-03 and 08-01-46.2. Comparison sales for the land are 24-21-10.5 and 24-21-10.1 and comps for the building are 24-21-10.1, 24-21-10.5 and 45-52-21. There is a -5% for road condition and a -10% for location on the lister card. Listers concluded the assessed value of \$159,000 to be fair and equitable.

BCA chose three members, Nancy, Lilian and Scott, to inspect the property on November 30<sup>th</sup>, 2015 at 3:00pm.

**Edgewater Inc. / Poremski**      **#36-50-00001**      **2551 Route 30 North**  
   **#37-50-00023**  
   **#37-50-00030**  
   **#39-50-00027**  
   **#37-50-00029**

Rosemary Rogers called today and said she is withdrawing all of her appeals. She is out of town and will come into the Town Clerks office Monday, November 23<sup>rd</sup>, to sign a withdrawal form.

Nedra also let the BCA know she got a hold of Susan Field today and Susan let her know she is withdrawing all of her appeals. Nedra emailed a withdrawal form to her.

Nedra has still not gotten a withdrawal letter from the Clifford's, she called and left a message to follow up.

Scott stated that an appellant did not allow them access to a building. He will include it in his inspection report as this will discontinue the appeal.

Lilian made a motion to accept the BCA minutes of November 4<sup>th</sup> 2015 as printed, Nancy seconded the motion. All in favor, Motion passed.

Scott made a motion to recess until the BCA reconvenes to hear the inspection reports and deliberate. Pat seconded. All in favor, Motion passed. Meeting recessed at 8:35pm.

On a side note, I would like to extend my personal Thank You to the members of the Board of Civil Authority. I have witnessed firsthand the tremendous amount of time, hard work and dedication you have applied to the appeal process. Thank you, it has been a pleasure to work with you all.

Respectfully submitted,

Nedra Boutwell  
Town Clerk

Approved: \_\_\_\_\_

DRAFT