

TOWN OF CASTLETON  
BOARD OF CIVIL AUTHORITY MEETING - HEARINGS  
November 2, 2015 at 6:00pm

MEMBERS PRESENT: Debbie Rosmus, Chair; Nedra Boutwell, Clerk; Gerard Ashton, Pat Albin-Diercksen, Scott Lobdell, Bob Grace, Lilian Sheren, John Hale.

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 appellant, Robert Garrow, and the listers. Introductions were made.

**Robert Garrow      #30-50-00012              Spooner Point Road**

Lister described the property as a .18 acre of land classified as miscellaneous land with water frontage. Listers heard the property owner's grievance and did not make any changes to the property.

Mr. Garrow handed out lister cards and a google map photo of his property showing the 25 feet of lake frontage. His first question is why does the lister card show Spooner Point Rd? The address is Johnson Spooner Road. The value of this land has tripled in value, went from \$20,000 to \$57,700, why. It is still unbuildable and the lakefront had deteriorated, this is classified as Lake Good? Bob brought in lister cards for 01-01-06, 20-20-30, 39-50-45 and 40-50-46 to show inconsistency in the frontage fees.

Listers gave a certification detail by location in their packet. They also gave comparables for land as 32-50-10, 31-50-04, 31-50-03, 31-50-02 and 31-50-08. Listers concluded the assessed value of \$57,700 is fair and equitable in comparison to the comparables. Listers will check on the address issue and correct if needed.

BCA chose three members, Scott, Debbie and Lilian, to inspect the property on November 3rd, 2015 at 9:00am.

**Harrington Family 2001 Trust      #32-50-00040              1127 Johnson Spooner Road**

Raymond took his oath. Introductions were made.

Listers described the parcel as a .461 acre of land classified as residential 1. The property has a Cape building on a concrete foundation, built about 1963. The exterior of the building has vinyl siding and a standing seam roof. The interior of the property has a first floor and a second floor with 7 rooms. The property has water frontage, cathedral ceilings, a basement, a wood deck, well and shared septic. The property is Grade C+, Average (+).

Raymond gave us a packet with his reasons for grievance and attachments to show lake front sales, assessed value increases and his listers card. His first concern is the assessed value is not reflective of current market conditions and fair market value. 27 sales occurred from 4/1/12 to 3/31/15, on average these sold at 3% above the assessed value. Included in the packet is also

sales from 4/1/15 to 10/31/15 showing sales at 22.1% below the new values. The neighborhood properties average increase is 7.8%, so how did our property value increase by 17.9%. There are still errors on the topography adjustments. We have always had a -24% influence due to extreme topography, soil composition, extensive unusable area, etc. The new assessment has reduced it to -10%.

Listers asked that the sales after 4/1/15 be disregarded. They made a change to the properties topography, -10% for the site acre and -15% for water frontage at the grievance, changing the value from \$408,000 to \$404,300. A certification detail by location was provided, along with sales of 31-50-19 and 41-50-09. Comparables for land are 22-20-11, 22-20-08 and 22-20-03 and for the building are 31-50-11 and 32-50-21. Listers also gave us the sales the appellant gave to them at their grievance with style of house, square ft. and 2015 assessed value written in by the listers.

BCA chose three members, Gerard, Bob and John, to inspect the property on November 4<sup>th</sup>, 2015 at 9:00am.

**Raymond & Toni Harrington      #32-50-00040.1      1135 Johnson Spooner Road**

Raymond is still under oath, Toni took her oath.

Listers described the property as a .459 acre of land classified as residential 1. The property has a colonial building on a concrete foundation/basement, built about 1990. The exterior of the building has vinyl siding and a standing seam roof. The interior of the building has a basement, first floor and second floor with 5 rooms. The property also has water frontage, screened porch, wood deck, garage and an open porch. The property is grade C+, average (+). NEMC dropped the assessed value from \$427,800 to 409,400, this was a correction of errors. Listers reduced the value at their grievance by \$1,500 to further correct errors found on the lister card. Assessed value is \$407,900, building is \$157,000 and land is \$238,200.

Raymond gave us the same packet as he did for the Harrington Family 2001 Trust. Arguments are the same, his first concern is the assessed value is not reflective of current market conditions and fair market value. 27 sales occurred from 4/1/12 to 3/31/15, on average these sold at 3% above the assessed value. Included in the packet is also sales from 4/1/15 to 10/31/15 showing sales at 22.1% below the new values. The neighborhood properties average increase is 7.8%, so how did our property value increase by 14.1%. There are still errors on the topography adjustments. We have always had a -32% influence due to extreme topography, soil composition, extensive unusable area, etc. The new assessment has reduced it to -20%.

Lois stated the appellant had a valid point on the topography being only done on the first line item. She asked that the BCA be consistent with the topo adjustments as they have been. They would recommend putting the 32% back. Certification detail by location was included in the packet. Comps for land are 22-20-08, 22-20-29, 22-20-03 and 32-50-40 and building comps are 06-01-02, 22-20-21 and 09-01-31.1. Listers conclude the new assessed value of \$407,900 is fair and equitable in comparison to the above comparables.

BCA chose three members, Gerard, Bob and John, to inspect the property on November 4<sup>th</sup>, 2015 at 9:30am.

**Bruce & Millie Winham #01-01-00029 10 Winham Lane**

Bruce came in October 30<sup>th</sup> with a letter for the BCA, Nedra read the letter, he withdrew his appeal and signed a withdrawal form.

**Duffy Castleton Realty Trust #41-51-00011 477 Abatiell Road**

No one was present to represent the appellant. A letter was received October 30<sup>th</sup>, 2015, Nedra read the letter.

Listers described the parcel as a .33 acre of land classified as residential 1. The property has a colonial building on a concrete foundation/basement built in 1950. The exterior has vinyl siding and a standing seam roof. The interior has a first floor and second floor to include 8 rooms. The property also has water frontage, a wood deck and a three season porch. The property is grade C, Average. Listers did not make any adjustments at their grievance.

Nedra read the letter William sent in. Letter states their parcel of land on Indian Point, 41-51-11, with 75 ft frontage. No water, one home w/septic system. We purchase our water from the Indian Pt water Assn. Parcel 41-50-01 has 150 ft frontage, 2 homes, 2 septic systems, a well, shed, w/a 2 or 3 yr old cement lake wall of 150 ft. Why is this parcel #41-51-01 valued at \$551 thousand, when parcel #41-51-11 is smaller and less valued at \$538 thousand? This doesn't make any sense to us. Nedra called and left a message on Mr. Duffy's answering machine on 10/30/15 asking him to call to set up a site visit time if he was not going to be at the hearing.

Listers gave a certification detail by location and a sale of 41-51-08. Comparables for land are 41-51-07 and 41-51-08 and comparables for the building are 45-50-12 and 33-52-05. The listers concluded the assessed value of \$538,400 is fair and equitable in comparison to their comparables.

Nedra called William during the hearing, and left a message on his answering machine, to set up a site visit. BCA chose three members, Debbie, Lilian and Scott, to inspect the property. We are hoping to set up a visit on November 4<sup>th</sup>, Nedra will send Mr. Duffy a letter tomorrow

**Blanche B Kelley #33-50-00008 201 West Crystal Haven**

Mrs Kelley took her oath, her daughter Lynn Kelly-Gee was also present and took an oath. Introductions were made.

Listers described the property as .99 acres of land classified as residential 1. The property has a conventional building on a concrete block foundation/basement, built about 1989. The exterior of the property has vinyl siding with an asphalt shingled roof. The interior of the property has a first and second floor with 6 rooms. The property also has water frontage, a garage, a wood deck and a lean-to. The property is Grade C+, Average (+). NEMC adjusted the value from \$529,800 to \$520,500 at the preliminary hearing, the listers made no change at their hearing.

Blanche submitted a 35 page appraisal from Sargeant Appraisal Service. The house was built originally in 1938, poles cut the property in half, town brought the sewer through, was

renovated/rebuilt in 1989. Have only done maintenance since, original carpet and vinyl floors, ect. Appraisal from Sargeant is at \$450,000. Looking at the Preliminary Property Valuation Report booklet the neighbors have decreased and mine has increased.

Listers used sales of 33-50-25 and 33-50-21, comparables for land are 33-50-21, 33-50-11 and 33-50-25, and comparables for the building are 41-51-08, 33-50-01 and 01-01-05.2. The listers conclude that the assessed value of \$520,500 is fair and equitable in comparison to the comps provided. The building as \$167,800 and the land is \$339,600.

BCA chose three members, Debbie, Lilian and Scott, to inspect the property on November 3<sup>rd</sup>, 2015 at 11:00pm.

**Tim & Laura Munks          #31-50-00030          473 Johnson Spooner Road**

Tim took his oath. Introductions were made.

Lister described the property as 3.78 acres of land classified as residential 1. The property has a cape building on a concrete foundation/basement built about 2001. The exterior of the building has clapboard siding and an asphalt shingled roof. The interior has a first floor and a half story to include 7 rooms. The property also has water frontage, a garage, patio, wood deck, cathedral ceiling, an open porch, private well and some exterior stone veneer. NEMC made an adjustment of \$10,700 at the preliminary hearing. The listers made an adjustment to the topography to include -25% on site acre, -50% on excess site, -50% to excess acres and -25% to water frontage which reduced the value by \$17,500.

Tim stated there is about 45 feet between the lake and his home, there are 66 steps to get down to the lake. The home site is the part that has the worst topography. I feel the topography adjustments are applied wrong. The 50% should be on the site acre and excess site and 25% should be on the excess acres and water frontage. Tim has no complaints with the house value.

Listers used the sales comps of 36-50-03.5(land only) 20-20-13 and 21-50-17. Land comps used are 22-20-34 and 22-20-35. They state a single flight of stairs to the lake is normal, if longer than 10 feet then a negative topo is necessary. Listers concluded the new assessment of \$823,400 is fair and equitable in comparison to the comparables given.

BCA chose three members, Bob, Gerard and John, to inspect the property on November 4th, 2015 at 10:0am.

**Wanda Roberts          #35-51-00026          2968 Route 30 North**

Wanda was not present at the hearing. Nedra read the letter she sent in to start the appeal. Wanda feels the appraisal is way too high for her 10feet of lake frontage. It is all ledge and has not had any upgrades in the last 18 years she has lived there. There is a deck that is south of her property which adjoins to it that sits on her 10 feet which will interfere with anything that she is to build on it. She is not willing to agree with the appraised value.

Listers described the property as a .01 acre of land classified as miscellaneous land. Comparables for the land are 35-50-27, 35-50-26, 35-50-25 and 35-50-23. Listers concluded the assessed value of \$25,300 is fair and equitable in comparison to the comps provided.

BCA chose three members, Bob, John and Gerard, to inspect the property on November 4th, 2015 at 10:30pm. We do not have a phone number for Wanda, Nedra will send a letter tomorrow to Wanda to set up another day and time if this doesn't work for her.

**Stanley Alt                    #08-02-00058                    1396 Route 30 South**

Stanley was not present at the hearing. Nedra read the letter he sent in to start the appeal. He is appealing for three reasons. First there have been no changes to the property in the past year, the adjacent garage and shed are in a state of disrepair. Second there is a significant amount of swamp area around the property which makes some areas unusable and also results in water drainage into the cellar. Third and most importantly, the house next door at 1328 Rte 30 with 24.27 acres is listed for \$85,400 which is down from \$109,000 in 2014. This location has more acreage, a 2 story home, a huge barn and a 2 car garage with at least as much open acreage as my property. No documentation was provided.

Listers described the property as 2.93 acres of land classified as residential 1. The property has a ranch building on a concrete foundation/basement, built about 1958. The exterior of the building is vinyl siding with a metal roof. The interior of the building has a first floor to include 5 rooms. The property also has an enclosed porch, a shed and 2 garages. The property is grade C-, Average (-).

Listers used sales of 08-01-18 and 08-01-38. Comparables for land are 09-02-49 and 08-01-18 And comparables for the building are 39-51-47, 44-50-21.1 and 25-21-49. They are in a high traffic area and fair neighborhood. Listers did not make and changes at their grievance.

BCA chose three members, Bob, Gerard and John, to inspect the property on November 4<sup>th</sup>, 2015 at 11:00am. Nedra called Stanley at the number listed in the phone book however it was not in service. Nedra will send a letter tomorrow to Stanley to see if this time is OK and reschedule if needed.

Minutes for the September 30<sup>th</sup> meeting were reviewed for approval. Bob made a motion to accept the minutes as written of the September 30<sup>th</sup> meeting, changing recluse to recuse, Scott seconded. All in favor, motion passed. Debbie moved that the meeting be recessed until the BCA reconvenes to hear the inspection reports and deliberate. Bob made a motion to recess the meeting, Scott seconded. All in favor, Motion passed. Meeting recessed at 9:05pm.

Respectfully submitted,

Nedra Boutwell  
Town Clerk

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