

TOWN OF CASTLETON
BOARD OF CIVIL AUTHORITY MEETING - HEARINGS
November 4, 2015 at 6:00pm

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

Also in attendance: Lois Witt, Lister

Chair Debbie Rosmus called the meeting to order at 6:04pm. Oaths were taken by the first appellants, Joseph and Linda Squier, and the listers. Introductions were made.

Linda Squier #44-50-00017.3 256 Route 30 North

Lister described the property as contains 1.12 acres of land classified as Residential 1. The property has a Manufactured Home Double Wide Building on piers/slab built about 1993. The exterior of the building is vinyl siding with an asphalt roof. The interior of the building has a first floor to include five rooms. The property has an open porch and a shed. The property owner shares the driveway. The property is Grade C, Average.

Linda states there is an error in the topography, 25% is ledge. House sits immediately behind another house, limited access due to narrow right of way, is used by neighbor also, and floods and frequently is obstructed with chunks of ice. Driveway opens onto busiest spot on Route 30 North. Using a comp of #44-50-13. Linda passed around photographs. Our home should not be assessed at more than the comp.

Listers gave comparables for land as 44-50-17.2 and 44-50-17 and comparables for building are 08-02-23, 42-51-57, 33-50-13.1 and 44-50-17.1. Sales used are 10-01-17.2 and 08-2-53. Listers state the property has a location and an access adjustment. Listers conclude the assessed value of \$77,800 is fair and equitable in comparison to the above comparables.

BCA chose three members, Gerard, Debbie and Lilian, to inspect the property on November 12th, 2015 at 12:30pm.

Joseph & Linda Squier #44-50-00017.2 260 Route 30 North

Joseph & Linda are still under oath.

Listers described the property as contains 1.05 acres of land classified as Residential 1. The property has a Manufactured Home Double Wide building on piers/slab built 2006. The exterior of the building is vinyl siding with an asphalt roof. The interior of the building has a first floor to include 5 rooms. The property also has a screened porch, an open porch, a garage, and a shed. The property is Grade C, Average. Listers made a change in the topography at their grievance which changed the assessed value from \$134,700 to \$131,000.

Linda passed around pictures, there is an error in the topography our property is at least half rock ledge hill. It is valued the same as #44-50-17.1 and our terrain is less desirable, their terrain is

much better. Narrow right of way with ice in the winter and used by the neighbor also. We face the neighbor's house, have no attic or basement. Driveway opens onto the busiest part of Route 30 North. Using the comparables of 44-50-13, 08-01-02, 44-50-17, 02-01-16, 44-50-17, 44-50-17 and 44-50-11. Our value was raised 1.34%, before the listers adjustment, and that is higher than most.

Listers used sales comps of 10-1-17.2, 08-02-03T.30 and 08-2-60, comparables for land of 08-02-06.2, 44-50-17.1 and 44-50-17.3 and comparables for the building of 25-20-37.1, 03-01-27 and 35-51-02.2. Listers changed the topography adjustment which adjusted the value by \$5,600, bringing the total value to 131,000. Listers conclude the new assessed value is fair and equitable in comparison to the above comparables.

BCA chose three members, Gerard, Debbie and Lilian, to inspect the property on November 12th, 2015 at 1:00pm.

Sunrise Plaza Inc. #42-51-00015 912 Route 4A West 1-6

William Gilbert took his oath.

Listers described the property as contains 1.0 acre of land classified as Commercial. The property has a commercial building on a slab, built about 1968. The exterior of the building is primarily concrete blocks with a flat membrane roof cover. The interior of the building has a first floor with 6 units. The property is Grade C – Average. No changes were made at the listers grievance.

Bill explained he is a licensed broker and supplied the board with an information sheet/written definition of Fair Market Value and stressed the importance of Fair Market Value. My property is at a disadvantage as it is the only plaza in town. No comparable sales in the area. The building is 50 years old, in poor condition, rents are give-a-ways. Land values are fine, however building is not in average condition, it is in poor condition. Largest space available to rent is vacant and used for storage. Bill did supply commercial sales and multi-family sales however no lister cards. He did supply a paper on a commercial building in Fair Haven.

Lois explained the listers did try to assess this parcel different ways, by Gross Income Multiplier (using an estimated income) and by CAP Rate, to see what the value would be. They showed the total value divided by the square feet equals \$41.29 per square feet, and that a basic house per Marshall & Swift assessment data is around \$85.00 a square foot. Listers provided a certification detail by location and a sale of 44-50-24. They used comparables of 42-51-13, 08-01-12, 43-50-35 and 43-50-38 for land and 43-50-35, 43-50-38 and 43-50-46 for the building. Listers conclude the assessed value of \$304,700 is fair and equitable in comparison to above comparisons.

BCA chose three members, Gerard, Debbie and Lilian, to inspect the property on November 12th, 2015 at 2:00pm.

William & Heather Fowler #43-50-0003.7 73 S A Woodard Way

William and Heather took their oaths.

Listers described the property as contains 2.48 acres of land classified as Residential 1. The property has a ranch building on a concrete foundation/basement, built about 2004. The exterior of the building is vinyl siding with an asphalt roof. The interior of the building has a first floor includes 5 rooms. The property also has a patio, garage, and an open porch. The property is Grade C+, Average (+). Listers did not make any adjustments at their grievance.

Appellants provided an appraisal that was done May 2015 showing the Market Value at \$268,000. Appellants also state there is a discrepancy in the square footage, town has 2328 and appraiser has 2054. Comparables are 43-50-03.1 and 43-50-03.8. Also we have a grade factor of 1.12 and neighborhood properties are at 1.1, a neighbor grieved this with the listers and theirs went back to 1.1.

Lister stated they could not do a site visit to check the square footage and apologized to the appellants, stated the BCA would have to decide if there is an error. Listers supplied a certification detail by location and a sales comp of 31-50-51. Comparables for land are 43-50-03.8 and 43-50-03.5 and comps for the building are 43-50-03.8, 43-50-03.11 and 43-50-03.5. Lois also explained that the grade factor is driven by the Marshall & Swift program.

BCA chose three members, Nancy, Debbie and Lilian, to inspect the property on November 9th, 2015 at 3:30pm

Jack & Martha Clifford #30-20-000009 37 Campbell Road

Jack called today, November 4th to cancel his hearing for tonight. Nedra mailed him a withdrawal from to sign and mail back.

Robert Schwartz #36-50-00018 313 Mason Point Road

Robert took his oath.

Listers described the property as contains .26 acre of land classified as Vacation 1. The property has a camp styled building on piers. The exterior of the building is clapboard with an asphalt shingled roof. The interior of the building has a first floor to include 3 rooms. The property also has water frontage, a screened porch, canopy, patio, wood deck, and a garage. The property is Grade C+, Average (+). NEMC made an adjustment of \$14,100 at the preliminary hearing, the listers did not make any changes at their grievance.

Robert brought in an appraisal from Aleda Dutton for his property. There is a 10 foot easement, 36-50-17 card given, driveway is shared. Questioning what determines Lake Good and Lake Very Good? Brought in pictures of the lake to show where the line is between Lake Good and Lake Very Good, what is the difference? Noticed that Rustics road had reductions and Johnson Spooner road also.

Listers used a sale of 33-50-21 and gave a certification detail by location. Comparables for land are 23-21-36 and 38-50-19 and comparables for the building are 02-01-32, 36-50-11 and 33-52-24. Lois also stated the appraisal from Aleda Dutton is a CMA Summary not an appraisal as she

is not licensed to do an appraisal. The listers conclude that the assessed value of \$308,600 is fair and equitable in comparison to the comps provided.

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

Robert J Parento #31-50-00002 Johnson Spooner Road, vacant lot

Robert took his oath.

Lister described the property as a .19 acre of land classified as miscellaneous land. Listers did not make any changes at their grievance.

Robert reminded the board of chapter 1 article 9 of the Vermont Constitution regarding a uniform basis and fair market value. This is a non-buildable parcel with muck at the shoreline, milfoil and the classification lake fair is more appropriate. There is no sales data of similar non-buildable parcels and the assessed valuation has not been applied on a uniform basis. Sales used are 42-50-49, 31-50-43 and Hughes to MarcGary Trust LLC. Comps used are 35-50-51, 35-50-58, 39-50-29 and 33-50-18.

Listers gave a certification detail by location and land comps of 32-50-10, 31-50-05, 31-50-03 and 31-50-08. Also discussed the property tax transfers included in the appellants packet.

BCA chose three members, Debbie, Nancy and Lilian, to inspect the property on November 9th, 2015 at 1:30pm.

Robert J Parento #31-50-00001 74 Johnson Spooner Road

Robert is still under oath.

Listers described the property as contains 3.35 acres of land classified as Residential 1. The property has a colonial building on a concrete foundation/basement, built about 1850. Remodel was done 1988-1989. The effective year built was NOT changed. The exterior of the building is clapboard with an asphalt roof. The interior of the building has a first floor, second floor, and attic to include 7 rooms. The property also has a 3 season porch and a wood deck. The property is Grade B-, Good (-). Listers did not make any changes at their grievance.

Robert states the valuation is excessive when compared to comparable properties in the neighborhood. Used Garrow and Roberts as comps and brought copies of the BCA decision letter of 2004 and 2007. This piece does not have water access and stated there have been no updates since it was built. If there is an increase in the valuation then the increase should include the valuation of 31-50-02.

Listers gave a certification detail by location, used a sales comp of 31-50-19, land comparables of 01-01-06, 45-50-54 and 45-50-56. Also noted the year built was not changed by the re-model. The listers conclude the assessed value of \$280,800 is fair and equitable in comparison to the comparables.

BCA chose three members, Debbie, Nancy and Lilian, to inspect the property on November 9th, 2015 at 2:00pm.

Tom Franzoni #20-20-00008 59 Campbell Road

Tom took his oath.

Listers described the property as contains .45 acre, classified as Vacation 1. The property has a camp style building on piers, built about 1932. The exterior of the building is primarily asbestos with a metal roof. The interior is first floor to include 4 rooms. The property also has water frontage, a wood deck, attic, and a shed. The property is Grade C, Average. Listers corrected the water frontage from 110' to 100', changing the assessment \$2,100 to \$229,500.

Tom explained in 2011 a .19 acre parcel was added, this is landlocked, unbuildable, the neighbors well is on it, it is not connected to the property on the lake. This property has had a 70 to 80% increase on the land. Lake quality is low, very shallow, and weedy, the grade is steep and unusable. This is a summer camp with no town services. The only comp I found is in Hubbardton, Cliffords' is next door, no handouts. It is 25-30' to the lake with steps made of railroad ties.

Listers used a sale of 20-20-05. Comparables for land are 20-20-09 and 20-20-04 and comparables for the building are 23-21-28, 42-50-32, 23-21-40 and 23-21-31. Lois explained the average increase in lake properties was 11%. There is an adjustment for road condition and is Lake Fair. Listers conclude the new assessed value is fair and equitable in comparison to the comparables.

BCA chose three members, Bob, Pat and Debbie, to inspect the property on November 10th, 2015 at 4:00am.

J Alvin Wakefield # 35-51-08 3236 Route 30 North

Alvin took his oath.

Listers described the property as contains .9 acre of land classified as Resid 1. The property has two buildings on it. Building 1 is a ranch built 1950, 638 Finished Sq Ft, Grade C, with a crawl space. The exterior is wood with an asphalt shingled roof. The interior has a first floor with 5 rooms. The property also has lake access and a wood deck. Building 2 is a camp style built 1955, 1580 Finished Sq Ft, Grade C, with a crawl space. The exterior is wood with an asphalt shingled roof with porches. The interior has first floor with 4 rooms. The property also has lake access with 120 ft on the water. Listers did not make any changes at the grievance.

Alvin states the increase of 29.4% is out of line with changes in the value in the local community. The house at 3235 right on the road, Route 30, parking lot next door is falling in to the lake, the retaining wall slide into the lake. 3236 is on the east side of Route 30, comp listed as sold for \$100,000, this has been for sale for two years at \$120,000. Last piece is a vacant lot, unbuildable, and is under contract to sell currently for \$25,000. To my knowledge no appraiser has visited the interior of any of the properties. Sales were given however no lister cards provided.

Listers provided a copy of the tax map. Sales for building 1 are 23-20-35, 38-50-11.1 and 31-50-51 and building 2 are 34-50-45, 39-51-12 and 42-51-19. Comparables for building 1 are 25-20-20, 08-01-18, 25-21-37 and 33-50-56 and for building 2 are 31-50-16, 23-20-31, 41-51-01 and 34-50-47.(building 1 is 3236 the house on the hill and building 2 is 3337 the house on the water)

BCA chose three members, Bob, Debbie and Gerard, to inspect the property on November 10th 2015 at 3:00pm.

Minutes for the November 2nd meeting were reviewed for approval. Bob made a motion to accept the minutes as written of the November 2nd 2015 meeting, Pat seconded. All in favor, motion passed. Debbie moved that the meeting be recessed until the BCA reconvenes to hear the inspection reports and deliberate. Pat made a motion to recess the meeting, Gerard seconded. All in favor, Motion passed. Meeting recessed at 9:45pm.

Respectfully submitted,

Nedra Boutwell
Town Clerk

Approved: _____