

UNAPPROVED

Board of Civil Authority
June 22, 2017
Huntington Town Clerk's Office

BCA Present: Dori Barton, Heidi Racht, Shelly McSweeney, Dan Rissacher, Mary Taft, Bonnie Gordon, Roman Livak, Andrew Hendrickson

BCA Absent: Pam Alexander, Nancy Stoddard (Wildman and Dresser, Listers)

Listers and Assessor: Carol Wildman, Don Dresser, Ryan Elliott; Kermit Blaisdell

Appellants: Peter Burr, John Durochia, Ian Wyatt, David Hammond

Minutes: Heidi Racht

Recusals: Taft on Wyatt, due to ag lease.

The Board discussed the Federal requirement for biennial voter checklist challenges/purges and confirmed the list that Racht provided (attached) after the discussion of the Board on June 5. Livak and Racht signed the Completion of the Biennial Purge of the Voter Checklist to be sent to the Vermont Secretary of State's Office.

Appeal of Peter Burr, Main Road, Hanksville, parcel # 070340

All present at the hearing signed the appropriate oaths, which are in the file.

The hearing began at 6:12 pm; chaired by Roman Livak.
Introductions were made.

Livak reviewed the appeal process and role of Board and Listers. He ascertained that the BCA's adopted Rules of Procedure had been received by the Appellant.

The Listers introduced the property; Dresser passed out the Lister card.

Appellant:

Burr stated his case. He stated that the property is now 7.4 acres, as surveyed in 2007 by Ron LaRose; questioned that the last reappraisal (2010) had the property at 10 acres (two five-acre lots in Rural Residential District) and it is now a single seven-acre lot); received a change [reduction] from the Listers in 2015 without explanation, from \$101,000 to \$92,500; would like to market for someone to build a house; compared to his sister's land, sold to neighbor, on the market for years, noting that town had it at \$69,000 and it was reduced to \$45,000 and then sold for \$43,000; asking for value of \$75,000 to \$80,000.

Listers

Blaisdell presented the position of the listers and discussed the comparables; noted that Listers aren't perfect as the recorded survey did not make it into the Listers' files. the Appellant had received tax bills with 10 acres on them – the property owner has some responsibility here; updated in 2015 when Marjorie Burr's property sold. Presented recent sales on Mayo Road (5.1 acres / \$155,000) and Beane Road (7.1 acres with partial house / \$162,400 - land value of \$103,700).

Discussion of access to property and work needed for same due to "significant grade" (Burr); small parcels on Sunrise Drive cited and every parcel is unique (Blaisdell); some potential for mound system (Burr); wants \$85,000 for it when it goes on the market (Burr).

Site Inspection: July 10, 9 am; Barton, McSweeney, Hendrickson

Appeal of John Durochia, 986 Happy Hollow Road, parcel # 007050

All present at the hearing signed the appropriate oaths, which are in the file.

The hearing began at 6:53 pm; chaired by Roman Livak.
Introductions were made.

Livak reviewed the appeal process and role of Board and Listers. He ascertained that the BCA's adopted Rules of Procedure had been received by the Appellant.

Appellents

Durochia stated his case. He stated that the property was bisected by two streams; the culvert for access washed out and was not replaced; presented comparables of Paulsen and Weston; has no building value; no septic or water; he paid \$8000 in 2015 and this is what it is worth.

Listers

Blaisdell presented the position of the listers and discussed the comparables; others might like the streams through the property; it does have difficult access, but has value and an engineer should write a report stating that it is undevelopable.

Site Inspection: July 3, 9 am; Rissacher, Livak, Gordon

Appeal of David Hammond, 13 Weaver Road / Main Road, parcel # 033280

All present at the hearing signed the appropriate oaths, which are in the file.

The hearing began at 7:21 pm; chaired by Roman Livak.
Introductions were made.

Livak reviewed the appeal process and role of Board and Listers. He ascertained that the BCA's adopted Rules of Procedure had been received by the Appellant.

Hammond introduced the issue around the property, which is the area located on the west side of Main Road. It is an "incorrect line on the tax map" issue. Ron Maynard, the adjoining property owner, who shares this boundary line, was present and in support of the appeal.

Blaisdell talked about how the entire property, including the house would be open for inspection as part of the appeal. He presented the specifics of the value of the components of the property (house, barn, acreage). The Listers reduced the acreage from 9.5 acres to 7.97 acres and changed the value of the acreage after appeal from \$241,400 to \$238,800.

Appellents

Hammond stated he did not ask to have the acreage and value changed. He had questioned the line on the tax map, which he believes is incorrect; line was marked by previous owner and all agreed on it – 750' north of where the town now has it; when town paved road, marker at road was removed; mistake was made by town when tax maps were created in 1983; asking town to verify line as presented since town has already calculated.

Listers

Dresser presented comments made at previous discussion, Prior to the appeal, he and Liavk had visited the property. The ideal is to have a survey done; however, the property owners can agree to the line and then record the agreement.

Discussion

Hammond said that nothing short of a survey was presented as the only option. Both solutions are at a cost to the property owners. He pulled out deeds from 1958 (Carlos and Ethel Weaver); 1980 and 1981 (Weaver, Maynard, Centerbar). No one else has disputed the line. Maynard bought his property in 1979; tax maps were created in 1983. This may have been misrepresented by the realtor, but Richard Weaver confirmed assumed line.

Maynard: two pins were covered when the road was moved. Three people agreed on the line and there is evidence of the line.

Blaisdell: tax map is best information "we have at the time." In 1983 no issue was made. Tax maps state that it is not to be used as a "survey descriptor." He told Hammond that he (Hammond) and Maynard take one line and take it to one point.; put it on mylar; Listers will make change. Talked about Olga Hallock and her love for Huntington (Olga Hallock and Edith Baughman worked with the Listers to create the tax maps) and how she wanted perfection.

Maynard answered Blaisdell's questioned about acreage: it is .5 miles from pin at Gallagher/Reagan.

Livak: have a line and need to get it on the tax map; find point agreed upon and draw line; record agreement.

Barton: are people being taxed incorrectly? Hammond and Maynard confirmed.

Blaisdell: concerned about precedent of making boundary change. He is not a surveyor and it's not his job. Take it to a known point with a surveyor and have abutters both sign it.

Agreement will be recorded in land records.

Livak: confirmed with Hammond this is not a value appeal and the matter is resolved between Hammond and Maynard. Racht drafted a statement that Hammond and Livak signed, stating same.

Livak: with change of acreage, value will change, but not until April 1. Change will be made on tax map.

Inspection Committee

Because the matter is resolved, no inspection is needed.

Monday, July 8, 8 am

Appeal of Ian Wyatt, 555 Camels Hump Road, parcel # 004365

All present at the hearing signed the appropriate oaths, which are in the file.

The hearing began at 8:10 pm; chaired by Roman Livak. The Appellant was not present, but had a letter and support material for the appeal

Livak read Wyatt's letter, dated June 22, 2017, to the BCA. The letter contained three comparable properties in Richmond, Shelburne and Williston. The original house, purchased in 2009, had an addition in 2010. He contested that the appraised value is based on replacement cost of new construction and this is not consistent with market-based approach for appraisals. Assessment is inconsistent with current market conditions and is "considerably" higher than similar comparables in neighboring towns. The value of Wyatt's house when compared to per-share-foot basis of recent sales yields a market value of \$674,127.

Listers

Blaisdell: house went from 2490 square feet to 4339 square feet. Wyatt paid \$900,000 for the property. Value added for \$1,033,100. It is 27.1 acres. There is a permit for a barn to be converted into an apartment; appears not have been done.

Presented three comparables: Bolton and two Huntington. Square foot price was less than appealed property; acreage was also much smaller.

Site Inspection: July 10, 8 am. Barton, Hendricks, Rissacher, Livak (confirmed by Racht on June 22, via email after meeting)

ADJOURNMENT: Andrew Hendrickson moved to adjourn; seconded by Bonnie Gordon. The meeting adjourned at 8:42 pm.

DRAFT MINUTES TO THE BCA: June 26, 2017

POSTED ON THE TOWN WEBSITE:

REVISED MINUTES TO THE BCA:

MINUTES APPROVED:

APPROVED MINUTES RECORDED BY THE TOWN CLERK:

Unapproved