

BOARD OF CIVIL AUTHORITY  
 Thursday, July 28, 2016 @ 5 PM  
 Alburgh Municipal Conference Room

Members: Tyler Gotshall, Alton Bruso, Barbara Baker, Armand Premo, Chuck Pease, Cheryl Dunn, Lee Kimball

Guests: Danielle James Choiniere, Terry Tatro, Jared Corey, Donna Bohannon, James Magner

Donna Bohannon recused herself as Town Clerk to act in the position of lister.

Chair Armand Premo opened the meeting at 5:16 pm, and explained the order of appellants first, then listers, then the board deliberates.

**GRIEVANCE HEARING – PLEASANT ACRES LLC – WS069**

Representative Greg Fleming asked if site visits happen. Armand answered if the board cannot make a decision, they'll do a site visit. The Board of Civil Authority's word is final; however, appellants may appeal to the State of Vermont.

Greg introduced himself as a 6<sup>th</sup> generation Vermonter who used to milk cows. He's both purchased and sold land many times. The property he's representing is owned by Germain Bourdeau and his sons Rene and Andre. After a 5-year lease, it was purchased 12/28/2009 for \$800,000 to use for growing crops. He presented a list of bullet points he feels negatively affect the property for development:

- **Considered Prime Agricultural Land:** carries lots of stipulations
- **Shoreland Protection Act:** no development within 250ft of mean water level
- **Wetlands:** compose 150 of 246.5 acres. Must provide 50-100ft buffer between wetlands and development. Land must revert back to wetlands if no longer used for farming
- **No Septic:** land is too wet (98% saturated) for most septic designs. Even a mound system may not suffice to current standards
- **Water:** no water lines to outbuildings, though the board clarified municipal water was recently installed and there is access if lines are put in place by the owner
- **Act 250**
- **Sub-division Regulations**
- **Alburgh Town Plan:** wants to maintain its rural and agricultural character by maintain its farms and small-town atmosphere

Current property taxes are \$11,206.99 with an assessed value of \$991,300 before Land Use deduction. Assessed value has increased 25%.

He presented an assessment breakdown that he believed was more fair:

<p>No gutter cleaner. Equipment and layout designed too small for today's Holsteins. Milk house and equipment need upgrades for today's milk quality standards.</p> <p style="margin-left: 40px;">Shed:                   \$20,000          House &amp; Garage:   \$145,000          Barn &amp; Milk House: \$15,000          Three Silos:               \$0 (Junk)</p> <hr style="width: 20%; margin-left: 0;"/> <p style="text-align: right; margin-right: 20px;">\$180,000</p>	<p>Land Prices: \$1,500-2,000 per acre</p> <p style="text-align: center;">x246.5 acres</p> <p style="margin-left: 40px;">\$370,000 @ \$1,500 per acre          \$493,000 @ \$2,000 per acre          +          \$180,000 buildings</p> <hr style="width: 20%; margin-left: 0;"/> <p style="text-align: right; margin-right: 20px;">\$550,000-\$673,000 suggested assessment</p>
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Armand Premo said the listers could go next. James Magner said the listers checked the assessment and looked at other farm properties. Based on their observations, they didn't agree with the proposed decrease. Alburgh is currently overassessed and they would have to reduce the whole town to be fair.

Barbara asked about lakeshore footage. Greg knew there was over 1,000 feet but wasn't sure exactly how much. Donna clarified the listers' card mentioned 2,794 feet of lakefront.

Lee asked about evaluations- was recently sold farmland used for the comparison? James said it was from 2011's reappraisal numbers. Lee asked if the state of Vermont sets those numbers, and Barbara explained the listers determined those evaluations based on outside help from the Vermont Appraisal Company.

Greg said he had been on both sides of the table and can see each side. He said most other similarly sized properties used as comparisons do not have this property's setbacks. It isn't developable, so we shouldn't use the same assessment formula. He mentioned a prior owner named Graham Goldsmith went belly up after buying the property.

Barbara asked if the listers had two acres for a housesite value with the house. James said the woman previously living in the house on the property had sold to Pleasant Acres LLC, but had a life estate. It may have affected the housesite value.

Armand concluded the testimony, saying a visiting committee will be arranged.

Greg left the hearing at 5:53 pm.

#### **2015-16 TAX ABATEMENTS – TERRY TATRO**

MR011: This property was part of a larger parcel owned by the Crosbys. When a portion of it sold to a Mr. Couture, that portion was never taken off the larger parcel and issued its own tax bill. Mr. Crosby paid the portion on his tax bill on the land he owned, but did not pay \$358.76 (representing the land he sold and no longer owns). Alton wanted to see the math involved though none was immediately present. Cheryl asked if it was never billed why it needed an abatement, but it was explained it was never billed *separately*, but was incorrectly left still on the larger parcel.

- *Alton Bruso motioned to abate the \$358.76 remaining on MR011. Barbara Baker seconded, all in favor. Motion passed.*

RS497: This trailer was off the property on April 1<sup>st</sup>, 2015 and should not have been on the Grand List, but was billed.

- *Barbara Baker motioned to abate the \$70.09 figure. Alton Bruso seconded, all in favor. Motion passed.*

ATF04: These property taxes were paid, but the payment was mistakenly applied to another parcel.

- *Barbara Baker motioned to abate the \$75.09 figure. Alton Bruso seconded, all in favor. Motion passed.*

ATB06: Terry did not know why this parcel was being abated, but the listers conformed the lot is empty and the trailer is gone.

- *Barbara Baker motioned to abate the \$96.78 figure. Cheryl Dunn seconded, all in favor. Motion passed.*

ATI02: This trailer was billed twice, once on ATI02 and then when it moved to ATH02.

- *Barbara Baker motioned to abate the \$168.54 figure. Cheryl Dunn seconded, all in favor. Motion passed.*

ATC25: Terry was unsure why it was billed in 2015 if it was listed gone in 2014.

- *Alton Bruso motioned to abate the \$146.85 figure. Barbara Baker seconded, all in favor. Motion passed.*

ATC01: This trailer is currently gone.

- *Barbara Baker motioned to abate the \$66.75 figure. Alton Brusco seconded, all in favor. Motion passed.*

ATF26: This trailer is still currently in place on the lot, however the listers did not copy down the new owners' mailing address correctly and the bill never reached them. Owners paid the taxes, but not interest and penalty.

- *Lee Kimball motioned to abate the \$6.64 figure. Barbara Baker seconded, all in favor. Motion passed.*

GP048-A: This trailer is currently gone.

- *Barbara Baker motioned to abate the \$51.73 figure. Lee Kimball seconded, all in favor. Motion passed.*

GP074: This trailer is currently gone.

- *Barbara Baker motioned to abate the \$58.40 figure. Lee Kimball seconded, all in favor. Motion passed.*

Terry Tatro concluded his abatements.

#### **GRIEVANCE HEARING – ROMEO JAMES BLAIR – NM021**

This property was grieved by Romeo "Jimmy" Blair, brother to the deceased prior owner. There was no documentation proving Jimmy was the owner/administrator on April 1<sup>st</sup>, 2016 when he formally grieved to the listers. He thought that information had been provided and did have it on hand.

Barbara Baker motioned for the listers to settle the grievance if in agreement. Chuck Pease seconded.

Alton asked if Mr. Blair still has the right to appeal.

Barbara withdrew her motion.

Alton asked to proceed as is with the listers' help to make it finalized, and if Jimmy Blair agrees. The Board could tour the property with the listers.

- *Barbara Baker motioned to allow the listers to speak with Mr. Blair. Lee Kimball seconded, all in favor. Motion passed.*

James Magner presented a figure of \$131,500 to Mr. Blair, who liked the new number which was reduced from \$208,000.

The Board discussed members doing a site visit to WS069. Alton, Barbara, and Cheryl volunteered. They decided to see which date was better for Greg, either August 25<sup>th</sup> or the 30<sup>th</sup>. Time at his convenience.

Danielle had asked about a grievance similar to Jimmy Blair's where it was maintained by an administrator who was also denied his grievance. Donna explained he had no paperwork authorizing him as executor.

Armand asked for other business. There was none to present. He adjourned the meeting at 6:25 pm.

Respectfully submitted,  
Danielle James Choiniere