

Board of Civil Authority

Draft Minutes

July 15, 2014

The meeting was called to order at 6:03pm

Steve Prouty nominated Jim Ameden as chair, Dodie Crossman seconded. Unanimous vote

James Ameden went over how the meeting was going to go:

Kelly Pajala administered the following oath to all in attendance: "I do solemnly swear (or affirm) that I will well and truly hear and determine all matters at issue between taxpayers and Listers in the Town of Londonderry submitted for my decision. So help me God." (or "under the pains and penalties of perjury.")

In attendance: Kelly, Pajala, Julie Adams, Sandra Clark, Dodie Crossman, Melvin Twitchell, Lini m, Katherine Aragi, Kathy Stone, Paul Gordon, bob Cowles, Scott Howe, Lenny Barclay, Steve Prouty, Bob Trask, and James Ameden

James Ameden asked the Listers to give an overview of the property.

Sandra Clark entered the following facts: parcel ID 007014-002, 33.06 acres, a new parcel on Winhall Hollow Rd, South Londonderry, VT. Current assessment \$82,400. Owned by Jennifer Howe trustee.

Scott Howe, representing the owner Jennifer Howe Trustee, presented his case: Mr. Howe spoke about the history of the parcel and its surrounding acreage, that the land had only been used for timber land. The surrounding acreage is in the Current Use program but this particular 33.06 acres is not in Current Use. This parcel used to be taxed together with other land formerly owned by Howe, and at that time the 209 acre parcel was assessed at \$180,000. Mr. Howe complained about the value of \$102,000.00, which included a value on the hunting camp, as being far too high. He talked about the low value of the hunting camp on the property. He stated that this property is accessible by foot, horse and 4 wheelers, "which is the way we want it". Mr. Howe believes that the parcel is not developable because of its distance from the road and the large costs associated with the installation of power and driveway. Mr. Howe stated he believed timberland is currently being valued at \$1,000.00 per acre and would like his assessment to reflect that value because his parcel is only good for timberland and hunting.

Sandra Clark spoke for the Board of Listers. The Listers handed out a packet of Exhibits to back up their case and asked everyone to follow along with them. Sandra pointed out that as a result of grievance the current assessment is \$82,400, which does not include a value on the camp, it is Land only. The Listers pointed out the value of the surrounding land which Howe transferred to Dugan, 172.97 acres for \$470,000 = \$2,717 per acre. There is a deeded 50 ft of right away, monetary amount that will be shared by Dugan if a road would put in. There is also a deeded right of first refusal for the parcel which suggests that Dugan would want to buy the property if it was for sale. Sandra reminded everyone there was no value on the camp, just as the Clough camp does not have a value. Sandra showed an example of property with 50 ft right of ways for access. She also spoke about recent land sales and looked at the per acre value of other large parcels in the neighborhood.

James Ameden opened the meeting up to questions.

Mr. Howe spoke about the individual characteristics of the parcels Sandra used in her exhibits and that none of them were good comparables. He said the value should not be established because of the right of way or right of first refusal and what Dugan might pay. He wants to keep it as timberland and for hunting and that is all. Mr.

Howe said he did not think bringing in Landgrove values was helpful because they are even higher. Sandra said she used them because they were a very recent reappraisal in the same neighborhood. Mr. Howe complained about the comparable properties again and the Listers responded that they were not comps but each demonstrated an aspect of the Howe's property. The only sale used as a comp is Howe's sale to Dugan. Jim Ameden clarified that Mr. Howe's main complaint is that his parcel is so far off the road and the other parcels in the exhibit packet at not, and that we were not discussing the camp because the Listers have not value on it.

Cathy Aragi asked about the quality of the grade within the 50 ft right of way. There was some discussion about the effort and cost that would go into developing this parcel because of the distance from the road. The Listers said they only brought up the right of way to prove the parcel was not land locked because Mr. Howe said the value should be lowered because it was land locked. Bob Trask asked for a clarification of the term land locked and it was stated it was parcel with no legal right of way to a road. There are no longer supposed to be land locked parcels. Mr. Howe spoke about how this parcel got its right of way.

Bob Trask asked Mr. Howe how much he thought the Listers had over assessed him. Mr. Howe said he thought timberland should be valued at \$1,000.00 per acre. He said that value could be upheld by a sale of 1100 acres at \$1,000.00 per acre. Mr. Howe said this land is not developable. The Listers asked how he established the value of the land he sold to Dugan and Mr. Howe said he wanted it so he paid his asking price. Jim Ameden asked Mr. Howe is he would sell his parcel for \$33,600.00 and Mr. Howe said "no" but he thinks that's what it's worth. Mr. Howe brought up the practice of sales chasing as a means of figuring the assessed value of a property. The Listers responded that they did not chase sales and that the current land sales for the coming year's sale's study reflect that the market value is very close the assessed value in Londonderry.

Mr. Howe again said that his property is different than any others. The camp was brought up again as having no value and would not be looked at the inspection committee. Katherine Stone clarified that the listers' exhibits were not comps but each addressed a different aspect of the Howe property.

It was agreed that Cathy Aragi, Jim Ameden, Melvin Twitchell, Bob Cowles, and Kelly Pajala would make up the inspection committee and that they would all meet on Thursday August 24th at 5:00. Melvin was going to check and see if the property could be accessed from the neighbors to make it a bit easier for the inspection committee to get to the parcel.

It was agreed that the BCA would meet to hear the inspection committee's report and deliberate on August 4th at 6:00 at the Twitchell building.

The board voted to adjourn at 6:45pm.

