

**TOWN OF PITTSFORD
BOARD OF CIVIL AUTHORITY
July 20, 2015**

Attendance:

BCA Members Present: Charles "Butch" Shaw, Matt Candon, Edward Keith, Sr. Patricia Carter, Margaret "Peg" Flory, Bonnie Stewart, Brian Nolan, Helen McKinlay, Dave Soulia

Others Present: Kelly Giard

C. Shaw opened the meeting at 6:30 PM and stated that the meeting was being held to hear 2 tax appeals.

M. Candon inquired the possible need for Executive Session. C. Shaw explained that the phrase is just standard and will be removed for the next agenda.

Motion by M. Flory and seconded by D. Soulia to adopt the agenda as presented. Motion passed unanimously 9 – 0.

H. McKinlay administered the Board of Civil Authority oath (per 32 VSA 4405) to the Board members. The oath that was administered is good for all appeals, however, the Listers and every appellants must be sworn in prior to each hearing.

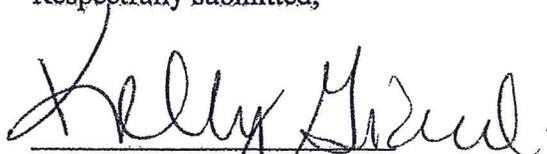
C. Shaw explained the process of the tax appeals.

The BCA meeting was recessed the meeting at 6:42 to go into the BCA hearings. The BCA meeting reconvened at 7:55.

Inspection Team A consisting of Matthew Candon, David Soulia and Bonnie Stewart will inspect the Saari property. Inspection Team B consisting of Brian Nolan, Margaret Flory and Patricia Carter will inspect the T. W. Grace property.

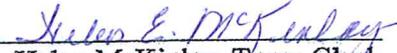
The Board of Civil Authority adjourned the meeting to August 4, 2015 at 6:00 PM to hear and act on the recommendations of the Inspection Teams.

Respectfully submitted,


Kelly Giard, Recording Clerk



Charles Shaw, BCA Chair



Helen McKinlay, Town Clerk

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BCA Members Present: Charles "Butch" Shaw, Matt Candon, Edward Keith, Sr. Patricia Carter, Margaret "Peg" Flory, Bonnie Stewart, Brian Nolan, Helen McKinlay, Dave Soulia

H. McKinlay has sworn in the Board of Civil Authority this evening.

Listers Present: John Eugair, Bob Harnish and Donna Wilson

Appellants Present: Derek Saari

Others Present: Kelly Giard

The Saari hearing was convened by C. Shaw at 6:45 P.M.

1. Derek Saari – Parcel 0835 – 1700 S Old Hubbardton Road, Florence, VT 05744

C. Shaw asked if any member of the BCA had a conflict of interest or had any ex parte communication with regard to the Saari property. No conflicts of ex parte were noted.

H. McKinlay swore in the Listers' (J. Eugair, B. Harnish and D. Wilson)

H. McKinlay swore in Mr. Saari.

C. Shaw indicated that the Board of Civil Authority received a letter from Mr. Saari and entered it into evidence as Appellant # A-1. C. Shaw explained the process of the hearing to Mr. Saari.

The Listers presented an informational packet marked and entered into evidence as L-1. J. Eugair stated that page 2 of the packet is the schedule and page 3 is the addendum.

J. Eugair explained that the property was inspected on November 1, 2014 as a result of a permit that was completed. The property was changed to minimally approved, raising the value from \$56,000 to \$111,900. The property was described as a camp and garage set on 59 acres.

J. Eugair explained that a grievance was received on April 17, 2015. The Appellant filed a grievance appeal on June 11, 2015, which resulted in a change in topography, resulting in a valuation of \$108,700.

J. Eugair presented 2 properties to be compared. One of the properties compared was on Cobb Hill in Brandon, which requires a 4-wheel drive vehicle for access and no adjustments were given. This road is considered a logging road. The Listers' feel that this is a fair assessment of the property. The second property is the Todd Landon property, which access is from 4 Seasons Lane.

J. Eugair stated that there is a long driveway, which is not necessarily the access, however, is stated as an "excellent" road.

M. Flory inquired if the access to the property is a town road. J. Eugair stated that the Corliss property in Brandon is town for "a little way", then private. M. Flory inquired the slope of the access road. J. Eugair stated that the slope is very similar; however, the Saari property is much better. D. Wilson stated that the topography concerns are on the back lines.

M. Flory inquired if the access was the concern and not the driveway. J. Eugair stated that the driveway adjustment less than access, which lowered the appraisal too much.

B. Nolan inquired the reason for the adjustment. J. Eugair stated that initially there was a zoning permit, which caused the inspection, which changed the property from a campsite to a minimally improved site. B. Nolan inquired the change. J. Eugair stated that the garage was \$22,000.

M. Candon inquired if there was an inspection completed following the sale to Mr. Saari. B. Harnish stated that there was an inspection following the sale to Mr. Saari. D. Wilson indicated that the property was sold to Mr. Saari in 2001. M. Candon inquired if the access and driveway were inspected. D. Wilson indicated that the garage and site were inspected, however, not the camp.

B. Nolan inquired if the property value had doubled in this time to \$50,600. J. Eugair stated that the Listers' "believe it did".

M. Candon inquired the value of a comparable driveway in Pittsford. D. Wilson stated that it depends if the driveway is paved. J. Eugair stated the whole lot/camp was an improved piece of property and the "whole site" has been improved.

M. Candon inquired if the value of the land was adjusted. J. Eugair stated "not specifically".

C. Shaw inquired if there was any land improvements following the 2006 reappraisal. J. Eugair stated "yes". C. Shaw stated "not just about the driveway". M. Flory inquired what improvements were done to the land. J. Eugair stated that when the inspection team views the property, the questions will be answered. D. Wilson stated that there has been a lot of excavation.

D. Saari presented a map outlining his property. Mr. Saari stated that he walks to the property 6 months out of every year and parks in Hubbardton to walk in because it is impossible to maintain the property in the winter.

Mr. Saari explained that the land was "carved out" in 1964 and finished in 2004 as a camp and access has always been an issue, however, the driveway was built to standard to be able to get trucks into the property to build the structure. Mr. Saari stated that when he builds up the road in the summer, the rock is gone in the spring.

Mr. Saari stated that the property is located in the Zoning Conservation 2 District and recommends that the Board of Civil Authority look at the Conservation 2 District as he feels that the same monetary value cannot be sought due to this zoning restriction.

Mr. Saari explained that the legal access to the property is from Hubbardton and has never been accessed from Pittsford. Mr. Saari stated that there are no Pittsford services received at the property and there is no 9-1-1 address.

Mr. Saari explained that the maintenance is his sole responsibility. Mr. Saari explained that the VAST trails run through his property and will close if necessary as there is no possible way to plow and no 9-1-1 access. Mr. Saari explained that the property has never been served by power and the septic system is on site. Mr. Saari explained that this is the most prohibitive zoning district.

Mr. Saari stated that the "homestead" is on a 2 acre portion and the Site Index is .93; the SI on the remaining 57 acres is .50 adjustments. Mr. Saari stated that the 2 acres is in the middle of the property and harder to access than the 57 acres as there is 3000' from the gate. Mr. Saari recommended that the entire parcel be treated at the .50 and reduce the .93 to .50. Mr. Saari stated that the .50 was increased to .80 based on the June 11 hearing and the topography has not changed.

D. Soulia inquired if the .50 being listed as a .80 was a "typo" and was supposed to be .50.

D. Soulia inquired the purchase of the property. Mr. Saari stated that he purchased the property on December 9, 2001 and the property has been 59 acres since 1964. The 2001 assessment had the property valued +/- \$38,000. D. Soulia inquired if the property was reassessed in 2006. Mr. Saari stated that the property has been reassessed "a number of times". D. Soulia inquired the number of driveways. Mr. Saari stated that there were 2 driveways, however, the second was built because Carrara Concrete said "no way were they bringing their trucks up" driveway 1.

D. Soulia inquired the climb assessment. Mr. Saari stated that the garage completion has caused the land value to double. Mr. Saari also stated that the well and septic permits are in place. Parker Waterwells has visited the property to evaluate the well drilling.

C. Shaw inquired if Mr. Saari would be happy with the .50 SI on access; however, there is a concern of the .80 on topography to change to .50. C. Shaw inquired if there was a

grievance on the building. Mr. Saari stated that there was no grievance on the building. C. Shaw inquired the location of the town line on the road. Mr. Saari outlined the town line on the maps that were presented.

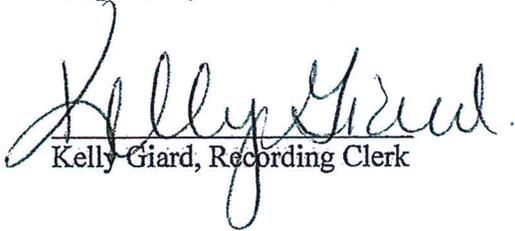
Mr. Saari explained that the road has been discontinued and he is half landowner of the right of way access.

Mr. Saari stated that he has submitted recommendations with regard to the Town Plan and the Zoning Regulations, however, there have been no changes since the purchase of the property and that Conservation 2 District provides for tourism.

Mr. Saari stated that he would be at the property all week and could be contacted at 603-903-4559.

C. Shaw closed the Saari hearing at 7:25 PM.

Respectfully submitted,


Kelly Giard, Recording Clerk


Charles Shaw, BCA Chair


Helen McKinlay, Town Clerk

**TOWN OF PITTSFORD
BOARD OF CIVIL AUTHORITY
July 20, 2013**

Attendance:

BCA Members Present: Charles "Butch" Shaw, Matt Candon, Edward Keith, Sr. Patricia Carter, Margaret "Peg" Flory, Bonnie Stewart, Brian Nolan, Helen McKinlay, Dave Soulia

H. McKinlay has sworn in the Board of Civil Authority earlier this evening.

Listers Present: John Eugair, Bob Harnish and Donna Wilson

Appellants Present: Tom Grace

Others Present: Kelly Giard

The Grace Hearing convened at 7:15 PM

2. TW Grace Incorporated – Parcel 0252 – 981 Fire Hill Road – Florence, VT 05744

C. Shaw asked if any member of the BCA had a conflict of interest or had any ex parte communication with regard to the Grace property. No conflicts of ex parte were noted.

Helen McKinlay swore in the Listers': John Eugair, Donna Wilson and Robert Harnish.

Helen McKinlay swore in Tom Grace.

J. Eugair presented the Listers' Packet to be entered as Listers exhibit L-1 as evidence.

J. Eugair stated that this property is a 1985 mobile home on .57 acre lot.

J. Eugair stated that when the Listers' went to the property on June 4, 2015 for an inspection, the renters denied access. The corrections that were noted were that the pad was removed and the property was decreased from average to fair. The property value was reduced from \$62,600 to \$59,700. Currently, the mobile home is uninhabitable as there was a suicide in the residence. J. Eugair stated that the mobile home was valued at \$16,500 and the Listers' had "no further opinion".

B. Nolan inquired the meaning of the "pad removed". D. Wilson stated that there was no pad present, as stated on the Lister Card.

C. Shaw stated that the mobile home was sited and valued at \$16,500 and the land was valued at \$43,200 with a .93 Site Index adjustment.

M. Candon inquired the year of the mobile home. J. Eugair stated that the mobile home was a 1985.

B. Nolan inquired the land valuation of \$43,200 and inquired if this value included septic and well. J. Eugair stated that this was the standard valuation and "nothing unusual for Florence".

Mr. Grace stated that he does not know what to do with the property as it is uninhabitable. Mr. Grace stated that he purchased the land in August 2013 and there have been no changes.

M. Candon inquired who owned the mobile home. Mr. Grace stated that he is the owner and the renters had a lease to own, however, the resident shot himself on June 7 or 8, 2015.

C. Shaw inquired when the mobile home was sited. Mr. Grace stated that the mobile home was sited in October or November, 2014.

M. Flory inquired if the appraisal was before the suicide, what was the grievance based upon. Mr. Grace stated that there was no pad and the property was "not worth that much" as it was only insured for \$16,000 and the land was valued at \$15,000.

C. Shaw explained that assessment and abatement issues are at hand.

M. Candon inquired when the home was assessed. Mr. Grace stated that when the mobile home was purchased. C. Shaw stated that Mr. Grace may need to request abatement from June 6 onward for the mobile home, which may not have any bearing on this board as this board reviews situations based on April 1. C. Shaw stated that the mobile home value would be reviewed by the Board of Abatement.

Mr. Grace inquired why the land is worth more now than last November. J. Eugair explained that the prior assessment was based on a mobile home that was burned with a garage and land, then the mobile home was torn down and the garage was removed making the property a vacant lot. The assessment was \$32,400.

M. Candon inquired if there was water, sewer and driveway access. J. Eugair stated that the mobile home was removed after the fire and the garage was removed in 2014 and there were never any taxes paid on the current mobile home as the tax year is July 1 through June 30.

Mr. Grace stated that he purchased the mobile home for \$12,000 at a bank sale and the Listers' presented comparable homes for \$22,000.

C. Shaw stated the time of purchase the property was valued at \$32,000 and is now valued at \$43,200. J. Eugair explained that the mobile home on the property was burned out and had a negative value.

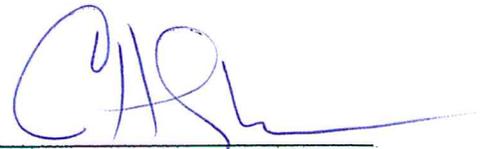
B. Nolan inquired why the mobile home was not cleaned. Mr. Grace stated that the property was a "rent to own" and he was denied access until just recently.

Mr. Grace can be reached at 802-342-0865, however, will be out of town for a couple days, therefore assigned his mother Carol as representative and she can be reached at 802-459-2885.

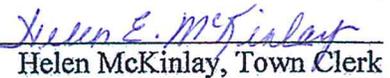
C. Shaw closed the Grace hearing at 7:53 PM.

Respectfully submitted,


Kelly Giard, Recording Clerk



Charles Shaw, BCA Chair


Helen McKinlay, Town Clerk