

Montgomery Town Listers
Unapproved Minutes of Meeting
Grievance Hearings June 11, 2018
Public Safety Bldg, Conference Room

Hearings opened at 9:02 am.

Present were: Listers – Parma Jewett, Lynda Cluba and Deanna Robitaille

Property owners/agents – All have submitted their Application for Grievance, in writing, within the required time limit.

1. Lantern Keepers LLC – Morgan Daybell (present) re: Parcel #N118.138X
Evidence submitted – Appraisal Report, Martin Appraisal Service **7A**

Appellant feels the property is assessed too high as his bank appraisal, completed 4/5/17, reflects a value of \$410,000 for his commercial property. Parma asked if he had permission to use the appraisal, he confirmed. He purchased the property for \$274,300 and as the sale took greater than 2 years to close, this would be the most accurate measure of the current value. Parma mentioned it was not an arms-length transaction, as it was not put out to the public. Listers visited the property on June 12 at 11:40a. They found the count for fixtures was incorrect in Section 2 (Inn and Restaurant) and Section 3 (Burdett house). Deanna made a motion and was seconded by Lynda to change the fixture count in Sect 2 to 39 and Sect 3 to 14. So moved 3-0.

2. Federal Nat'l Mortgage – Sarita Khan (present) for Daniel Khan, new owner re: Parcel #11.038X Evidence submitted – Appellant, comparable sales. **#1-128 Highland Spgs, #2-266 Main St, #3-1991 N Main St & #4-3059 Mountain Rd.**

Parma explained that we can hear evidence but cannot consider the appeal until we receive a letter from Fed Nat'l Mortgage (Fanny Mae) authorizing her to appeal the assessment. Daniel closed on the property after the April 1 deadline for the 2018 Grandlist. Owner asks for more depreciation as there are cracks in the DGR foundation and feels the DWL is uninhabitable. Feels property value should be \$55,000. Listers visited the property on June 12, at 9a. Letter authorizing Sarita Khan to appeal was received. Parma made a motion and was seconded to increase the physical depreciation on the dwelling to 50% and change the % good on the 1 story DGS from 65% to 50%. So moved 3-0.

3. Bristow, Ben – (present) re: Parcel 1.046C
Evidence submitted – Appellant, 6 pg. document titled, Comparables for 1619 Fuller Bridge Rd **2A** Listers, comparables, 14 Brady Rd and 1918 Mountain Rd. **2B**

Parma explained that appellant's comparable, 64 Wightman Hill Rd, Richford cannot be used as it had inferior location which lowered the sales value. The appellant felt the data on his cost report was accurate, though the previous owner did not do preventative maintenance. Feels property value should be \$292,000. Listers visited the property on June 12 at 9:40a. Owner showed ice damage on exterior and some rotting in 3 places on the decks and siding. Parma made a motion and was seconded by Deanna to change the quality grade for the DWL to 4.25, the depreciation factor on the DWL to 15% and the pool value to \$5000. So moved 3-0.

4. Traficanti, Zachary – (present) re: Parcel #58.043A Evidence submitted - Appellant comparable sales. 438 Shipman Rd, Waterville; 791 Shaw Rd, Cambridge; 1668 Potato Hill Rd, Berkshire-subdivision; 233 Green Mtn. Rd, listing only and 64 Wightman Hill Rd, Richford, inferior location affected sales price,. **3A** Listers – 440 Green Mtn. Rd; 3378 Mountain Rd; 1655 Hill West Rd and 549 Montgomery Hgts. Rd. (all listings, under contract). **3B**

Appellant requests property value to be at \$265,000 as property was on the market for over a year and was purchased in July 2017 for this price. He states the VT Dept of Taxes defines fair market value as “the price which the property will bring in the market when offered for sale and

purchased by another.” Listers visited the property on June 11 at 1:20p. He felt he had no view which could affect value, though offered no other information other than showing the property. Parma made a motion and was seconded by Lynda to change the quality grade on the

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Traficanti (cont)

DWL to 4.00, the depreciation factor on the DWL to 15% and land grade on the Bldg. lot to 1.10. So moved 3-0.

- 5. Abram Barnard – (present) re: Parcel #4.003X** Evidence submitted – Appellant, Agricultural Appraisal report for Stuart Archambault (previous owner) by Yankee Farm Credit, dated 7/20/17. **4A** Listers – Sales at 1286 Hazen Notch Rd and 1013 Horseshoe Circle, Lowell. **4B**

Appellant feels the appraisal reflects the value as this is a financial institution dealing with farming and land use. Requests property value to be at \$260,000. After looking at his cost report, informs the board that he only has approximately 35% of floor in the dwelling covered; the rest is plywood. Listers visited the property on June 12 at 1:30p. They found floor covering in part of the DWL was plywood only and there was some trim missing. Lynda made a motion and was seconded by Parma to change the floor covering to reflect 75% plywood and 25% linoleum, the depreciation factor on the DWL to 30%, the land grade on 90.5 acres to .50 and the % good on the Barn and Hayloft to 15%. So moved 3-0

- 6. Frank Wirth – (present) re: Parcel #42.004X** Parma recused herself from this appeal. Evidence submitted by the appellant, was a letter dated 7/23/14 from John Cote @ Vermont Farms and Homes Real Estate and Lynn Locher @ Hickok and Boardman Real Estate stating their opinion of the value at 45 Comstock Br Rd. **5A**

Appellant also states VT Dept. of Taxes definition of fair market value. He feels the letters from his real estate agents reflect the true value of his property. The property has been listed since 2015 by different agents and was consequently reduced as no offers were made. The current agent estimates the value at \$160,000-\$170,000. Listers will visit the property on June 12 at 9:20a. Lynda and Deanna visited the property and inspected 2 of the 3 apartments. Deanna made a motion and was seconded to deny the appeal. So moved 2-0.

- 7. Greg Lucas – (present) re: Parcel #N118.142X** Evidence submitted by the appellant, was an appraisal done for Community Nat'l Bank dated 8/14/17. **6A** A property history detail dated from 5/20/2014 to 8/31/2017, when he purchased the property **6B**

Appellant feels property was sold to him at fair market value as it had been on the market for over 3 years. The value was reduced a couple of times as no offers were made. He wants the value to be at \$238,000 as this was his purchase price. The bank appraisal was \$245,000. Listers visited the property on June 12 at 10:15a. Deanna made a motion and was seconded to change the quality grade to 4.25 and the depreciation factor on the dwelling to 15%. So moved 3-0.

- 8. Jonathan Betts (present) re: Parcel #6.039X** No evidence was submitted.

Appellant requests his DGR be listed as a part of his homestead as he no longer rents the apartment above. He does not plan to rent it in the future and will only use it for storage. It

was rented previously from Oct. 2015-Apr. 1 2017. Listers did not feel they needed to inspect the property. Deanna made a motion and was seconded to change homestead flags only to yes on the DGR, porch, apt., water and sewer. So moved 3-0.

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9. Suzanne Pelletier (not present) re: Parcel #1.012X

Appellant has reviewed her property cost report and questions why she is assessed for 2 bulkheads and an outside entrance. States in her application she has one bulkhead and a basement entrance through the back right hand side of the garage. Also she says there is no finished area in her garage. The walls are not finished and the floor is cement. Ceiling is sheetrock with damage. Lynda visited the property on June 8 and observed there was some drywall in the garage ceiling which was reflected on the report as a value of \$798 under features. There was 1 bulkhead and no outside entrance, though there was a 2nd bulkhead from the garage. She also observed there were only 3 bedrooms and 1½ baths, which is not correct on the cost report. Deanna made a motion and was seconded to adjust the description to reflect 2nd bulkhead remove the description of an outside entrance and to change the bedroom count to 3 and add a ½ bath. So moved 3-0 These adjustments did not result in a change of value.

10. Elfriede S Parsons (not present) re: Parcel #242.070X Evidence submitted by appellant is a letter dated June 4, 2018 titled Application for Grievance, Addendum. **8A**

Appellant disputes the valuation based on a comparable sale of another 21 acre piece which recently sold for \$35,000. The piece is across the road from the property under appeal. She states the 21 acre piece is larger and more desirable and that it can be engineered for a septic and a housesite. The property she is appealing has been on the market for over a year for \$29,000 with no offers and has recently been reduced to \$19,000. She states this land has a substantial beaver population and consists of mostly pond also making it unclear whether the property can be engineered for a septic. Listers visited the property on June 12. They observed the land was wet on the back East side of the property. Parma made a motion and was seconded to deny the request for grievance. So moved 3-0

11. Matt Rafuse (present by phone) re: Parcel #36.022A Evidence submitted by appellant is a bank appraisal done for Community National Bank dated Dec. 22, 2017. **9A**

Appellant states the property had been for sale for over a year. It has been logged and stripped of any agricultural value. Structures were not kept in good shape by the previous owner. The private road had been used by the loggers and had not been well maintained. He said the previous owner had filed a survey showing the land to be 139 acres. He would like this corrected. His bank appraisal came in at \$137,000 and he feels this should be the fair market value as he paid \$135,000. He states there is no power, working water or septic at this time. Listers did not visit the property but did confirm that the acreage had been stripped which would make the land less valuable. Parma made a motion and was seconded to change the acreage to 139 per the survey and change the land grade on the AC other (137 acres) to .50. So moved 3-0.

12. Remi Gratton (present) re: Parcel #42.013X

He wants the 468 sq. ft. shed to be removed from his property card as he has taken it down prior to April 1, 2018. Listers visited the property on June 12 and observed the shed had been removed. Parma made a motion and was seconded to remove the 468 sq. ft. outbuilding from his assessment. So moved 3-0.

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13. Christina J Bilodeau (not present) re: Parcel # 12.044X

Christina withdrew her appeal on May 18, 2018 after getting clarification of the descriptions on her property card. No motion was necessary.

Parma made a motion and was seconded to recess the hearings at 11:30 am and reconvene on June 19, 2018 to receive and evidence appropriate for the hearings. So moved 3-0

June 19, 2018 at 8:00 am

Lynda and Deanna were present.

Lynda made a motion and was seconded to reconvene hearings at 8:06 am. So moved 2-0.

Listers were available until 4:00 pm to receive any evidence regarding the hearings. No further evidence was submitted. Deanna made a motion and was seconded to adjourn the grievance hearings at 4:10 pm. So moved 2-0

Respectfully submitted:

Lynda Cluba