

**BOARD OF CIVIL AUTHORITY
SHREWSBURY, VERMONT**

Minutes – Meeting July 7, 2018

Present:

John Berryhill, Chair; Justice of the Peace; Hull Maynard, Justice of the Peace; Betsy Jesser, Justice of the Peace; Patricia Norton, Justice of the Peace; Lee Wilson, Justice of the Peace; Steven Nicolson, Selectman; Aaron Korzun, Selectman; Bert Potter, Selectman; Mark Goodwin; Town Clerk

Listers:

Sharon Winnicki, Chair Board of Listers; Adrienne Raymond, Lister

Appellants:

George Hildalgo, Appellant (021-0-2601), Jeff Biasuzzi, Agent for Mr. Hildalgo

Michael Wheeler, Appellant (003-2-0910)

Members of the Public: Richard Biziak & Jonathan Gibson

Note: Members of the BCA and Listers were administered oaths pursuant to 32 V.S.A. § 4405 by the Town Clerk and Trish Norton prior to the meeting being called to order.

Call to Order – 7:00PM by John Berryhill

Grievance Appeal – Hildalgo Limited Partnership, George Hildalgo and Jeff Beasuzzi:

Chairperson Berryhill, reviewed the Rules of Procedure and pursuant to those rules administered the oath to the appellants.

Upon request of the Chair in regards to anyone with a conflict of interest, Trish Norton recused herself from this particular appeal because her husband did the septic designs for the appellant in his sub-division application for this property.

Evidence was presented and collected from both the appellants and the Listers in the matter of the appraised value of the subject property.

Evidence from the appellant included: A letter dated August 6, 2018 outlining the rationale as to why the appellant believes that the assessment is too high. Comparable and abutting properties submitted were: Gagnon & Gagnon Leasing off Cold River Rd. (001-0-6400 and 001-0-6410) 21 Acres and 212.60 Acres respectively, primarily utilized as a wood lots for Gagnon

Lumber Inc. Cook property (032-0-0750) 151.90 Acres off Tabor Rd. Elnicki Aggregate, Inc (001-0-0001) 314.00 acres utilized as a gravel extraction area off Cold River Rd. Vermont Earth Resources Inc 214.80 acres utilized as a gravel extraction area off the East Rd. in Clarendon, although the property is located in Shrewsbury. Listers included as comparables for assessment determination the following properties: Holland (009-0-0900) 721 acres sold to Vermont land Trust and subsequently to the State of Vermont March 28, 2016. Stewart Enterprises (103-05208) 236 .3 acre parcel of a total 418 acre property spanning Shrewsbury and Wallingford. Shrewsbury Forest LLC (006-0-4445) 557 acre parcel off the Upper Cold River Rd utilized as a timber lot.

The appellant presented a perspective of Fair Market Value in relation to comparables and abutters with similar sized lots. The Appellant referenced restrictive State of Vermont regulations regarding the Agency of Natural Resources and Shrewsbury's "prohibitive" zoning regulations.

In summary the appellant maintained that the \$808,000 assessed value or \$1534 per acres is extraordinarily too high and that the property was been on the market for \$982 per acre or \$450,000 and has not had any potential buyers.

Inspection committee was assigned comprising of: Lee Wilson, Mark Goodwin and John Berryhill. Listers were given permission to accompany the Inspectors. Inspection is slated for August 17 at 2:00 PM. The inspection committee will contact Jeff Beasuzzi for access to the property.

The Grievance Appeal was recessed at 7:40 PM by chairman Berryhill.

Grievance Appeal – Michael Wheeler:

Hearing called to order at 7:45 PM by Chairperson Berryhill.

Chairperson Berryhill, reviewed the Rules of Procedure and pursuant to those rules administered the oath to the appellants.

No members of the BCA present indicated any Conflict of Interest.

Evidence was presented and collected from both the appellants and the Listers in the matter of the appraised value of the subject property. 11.15 acres on Eastham Rd.

The appellants offered as evidence a document produced by Christopher Blanchard from Facey Goss & McPhee P.C. Summarizing the rationale of why the subject property is over assessed including, a citation on Fair Market Value, Site Grade and comparable properties of 2100 Northam Rd. (Porte) and 523 Eastham Rd. (Peer). Included in the documentation were letters and permits submitted to and approved by the Zoning Administrator with explanation of the ANR restriction regarding wetlands and associated buffers and their respective impact and improvement, development and maintenance on the property and the utilization limitations of a "camp" from the perspective of DEC in respect to waste water.

The Listers presented sales comparisons for 2100 Northam Rd. (Porte) and 368 Eastham Rd. (Bunge – now Thomas), 521 Eastham Rd. (Phillips), 523 Eastham Rd. (Peer) and 790 Eastham Rd (Young) all the submitted properties are in Shrewsbury and four of the five are located on Eastham Rd within the near vicinity of the subject property. Evidence that the property was reclassified from Class 2 wetlands to Class 3 wetlands which is less restrictive. This allowed for the building of a gravel driveway into the property for utilization and access.

None of the development (platform, outhouse) other than the "site" itself has been utilized for assessment purposes.

Inspection committee was assigned comprising of: Trish Norton, Betsy Jesser and Steven Nicholson. Listers were given permission to accompany the Inspectors. Scheduled for Saturday 8/11/2018 at 9:30AM.

No specific questions were raised by the BCA.

The Grievance Appeal was adjourned at 8:07 PM by chairman Berryhill.

The Board of Civil Authority scheduled August 22, 2018 at 7:00 PM to reconvene for the purpose of hearing from the inspection committees and their respective reports and to deliberate on the matter of the two grievance appeals.

The meeting was duly adjourned at 8:07 PM

Respectfully submitted,

Mark Goodwin
Town Clerk

Approved _____
John Berryhill, Chair Board of Civil Authority

A True Copy Attest: _____
Town Clerk

Date: _____